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Ontario. Legislative Assembly.  
Standing Committee on General  
Government

Proceedings, June, 1981,  
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STANDING COMMITTEE ON GENERAL GOVERNMENT  
ONTARIO WASTE MANAGEMENT CORPORATION ACT  
WEDNESDAY, JUNE 24, 1981



STANDING COMMITTEE ON GENERAL GOVERNMENT

CHAIRMAN: Barlow, W. W. (Cambridge PC)  
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Bryden, M. H. (Beaches-Woodbine NDP)  
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McGuigan, J. F. (Kent-Elgin L)  
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Runciman, R. W. (Leeds PC)  
Sheppard, H. N. (Northumberland PC)  
Wildman, B. (Algoma NDP)

Substitutions:

Charlton, B. A. (Hamilton Mountain NDP) for Mr. Wildman  
Miller, G. I. (Haldimand-Norfolk L) for Ms. Copps  
Nixon, R. F. (Brant-Oxford-Norfolk L) for Mr. McKessock  
Piché, R. L. (Cochrane North PC) for Mr. Hennessy  
Stevenson, K. R. (Durham-York PC) for Mr. Runciman  
Treleaven, R. L. (Oxford PC) for Mr. Sheppard

Clerk pro tem: White, G.

From the Ministry of Environment:

Jackson, M. B., Solicitor, Legal Services Branch  
Norton, Hon. K. C., Minister  
Scott, G. W. S., Deputy Minister

Witnesses:

From the Region of Haldimand-Norfolk:  
Coughlin, J., Director of Planning  
Richardson, K., Chairman

LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON GENERAL GOVERNMENT

Wednesday, June 24, 1981

The committee met at 4:10 p.m. in committee room No. 2.

ONTARIO WASTE MANAGEMENT CORPORATION ACT

Consideration of Bill 90, an Act to establish the Ontario Waste Management Corporation.

Mr. Chairman: We will call this meeting to order as we have a quorum. I would like to call on the minister to introduce the bill.

Hon. Mr. Norton: Mr. Chairman, I had not intended to make an opening statement as such. I have on two occasions now and I am assuming that those persons who will be making representations to the committee will have had an opportunity to at least see the legislation. In the interests of making as much time as possible available this afternoon to expedite the process, I will make no further comments now but perhaps respond as appropriate during the subsequent proceedings.

Mr. Chairman: Mr. Richardson and Mr. Coughlin, would you like to come up to the table in front here?

Mr. G. I. Miller: (inaudible) do you have anything in mind, Mr. Minister?

Hon. Mr. Norton: I should think that would be more appropriate to consider on clause by clause and perhaps after hearing all the representations.

Mr. Chairman: Mr. Richardson, would you like to make any comments or queries at this point?

Mr. Richardson: Yes, thank you. Mr. Chairman, Mr. Minister and members of the committee, I think you have already been introduced to the planning director of the region of Haldimand-Norfolk, Mr. Jim Coughlin, and myself, Keith Richardson, chairman of Haldimand-Norfolk region.

The region of Haldimand-Norfolk first became concerned about this particular issue last November and up to this point I do not think our position has changed materially. Really the basic concern of our council and our inhabitants can be summed up probably in this sentence: the inhabitants of the regional municipality of Haldimand-Norfolk are entitled to the assurance that this site is environmentally suitable and that the industrial waste technology and safeguards are adequate.

I presume the members of the committee are all well aware of the background of the particular project being referred to in this bill and it is not necessary for me to go into any of that background. Am I assuming correctly when I make that statement?

Mr. Chairman: It was certainly well publicized through the press and other media.

Mr. G. I. Miller: I would just like to say, because this represents our riding, I think there are probably five new members who have never been aware of it or who did not have the opportunity of sitting in the Legislature. I do not think it would hurt to bring them briefly up to date on a little of the background.

Mr. Richardson: I presume that can take from now to six o'clock if that is really what you want me to do, but I do not intend to take that long.

Mr. G. I. Miller: No, just briefly.

Mr. Kells: We are faithful readers of the newspaper.

Mr. Chairman: It might not hurt for you to give us a little bit of the background, Mr. Richardson.

Mr. Richardson: The newspapers are not always entirely correct. Of course, we have to look at the land assembly that Ontario bought in Haldimand-Norfolk about eight or nine years ago now. Last November it came as a bit of a bombshell to the region of Haldimand-Norfolk that this land assembly which had been originally scheduled to be a residential assembly was now going to be turned into the liquid industrial waste site for the province.

Given the background of those inhabitants who have lived in that municipality, many of them for a lifetime, with the knowledge of the soil conditions, the bedrock conditions and many other concerns they have, they certainly were not long alerting us, as municipal politicians, that this probably was not the safest site to put this type of a facility on, given that we were well aware that there was a need for some type or other of facility in the province. However, I think we felt that there were other routes that could be followed than the dump that has been proposed and other methods of destroying liquid industrial waste.

The land assembly is something like 13,000 or 14,000 acres and the site that is proposed is within about a half mile of the Grand River. It has a creek running through one corner of the site, putting about 15 per cent of the site, I believe, in hazard land area. Immediately to the south of the site, as a matter of fact within 300 or 400 feet of the site, there is an outcropping of rock which would indicate to me, and to you I am sure, that we are not looking at a large area of deep clay soil which I would think should be one of the basic necessities for this particular type of project.

When we look at the particular bill in question here today, we are concerned basically with three sections of the act, sections 14, 15 and 16. We are particularly concerned when we look at section 14 that the waste management corporation is really being limited to work on this particular site in South Cayuga in this part of Ontario and is not, without going back to the Lieutenant Governor in Council, being allowed to engage in any other activity, apparently.

I have listened to Dr. Chant, who has been appointed as chairman of the Ontario Waste Management Corporation, and have had a number of conversations with him. He has made the statement a number of times that one of the main purposes and the ideal purpose of the corporation would be to put itself out of business, that is, to get to the point where there was no industrial waste for this corporation to be concerned with, that it would all be destroyed or would not be created in the first place or would be used in some useful purpose, rather than it having to be burned or put in a hole in a ground or whatever it might be.

When I read section 14, it seemed to me you were really limiting the corporation to work on the South Cayuga site and were not giving them an opportunity to work with any other corporations or any other systems that may be in place at the moment, or any other people who have ideas for the destruction of waste, without them coming back to the Lieutenant Governor in Council. It would seem you are giving them too narrow a mandate by indicating the only thing they can do is to spend money on that particular site.

In that regard, we are of the opinion that transportation is one of the concerns of the community. If we limit their scope to the site as related in the schedule, then I wonder really whether we can get concerned and get involved in transportation. That is one of the concerns and questions I have and that I would hope the committee would address.

In section 15 the corporation is being exempted from the Environmental Assessment Act, the Environmental Protection Act and the Ontario Water Resources Act, not only, as I read it, in South Cayuga but in any area to which it may go. This is the basic concern of the residents of our area. They are certainly well aware of the environmental assessment process because we have been through it at least twice in regard to liquid industrial waste. One was in the early 1970s in regard to a deep well injection proposal at a little town by the name of Canboro which is in Haldimand-Norfolk. Later, in 1976 or 1977, there was a proposal for a liquid industrial waste facility by private enterprise near Nanticoke. The regional municipality was very much involved in that particular hearing.

4:20 p.m.

We believe the act is a good one and, on that basis, we are aware of the procedure and we know what the act can achieve and the safeguards that are built into that particular act. At this point, we do not have the confidence in the new procedure that has been set up. The staff has talked to the hearing officers and we get the impression that they are really not at all certain of the procedure they are following in the present hearing process, given that it is a new process, and the hearing officers do not have that much confidence in how it is going to operate. I do not know how you expect the people in the community to have much confidence in it either.

Section 16, I believe, is the one which gives the Lieutenant Governor in Council the opportunity to appoint the hearing panel. We are concerned as to whether or not the orders in council to appoint the hearing panel and give it the rules of procedure to follow are to stay in place. What, in effect, happens to the procedure once part of the order in council has been covered by a bill in the Legislature?

On an overall basis, when I look at this bill, it seems that it puts all the burden of concern to destroy, store, whatever, on the crown corporation. It seems to me and to my council that burden should be shared by industry; it should not be all on a crown corporation. More of the burden should be placed on industry. In what I have pointed out in sections 14 and 15, both of them appear to have the crown corporation on a narrow track. I think they could be much more effective if they were given a broader mandate and had an opportunity to co-operate more fully with industry and with whatever other methods of disposal may be available, rather than putting the entire onus on the crown corporation in South Cayuga.

In view of the fact that we were only made aware of this committee meeting late last night, and because of other concerns I have, I have not had a great deal of opportunity to put together a presentation other than in the two hours we spent in the car on the way down today. There may be more thoughts that come into our minds and maybe Mr. Coughlin has some additional comments, but those are the ones that come off the top of my head at this moment.

Mr. Chairman: I appreciate you did not have a great deal of time as this came through rather quickly. If you want to interject at any time, please feel free to do so.

Mr. Coughlin: Mr. Chairman, there is one question I wanted to ask further to what Mr. Richardson has stated. There are a number of points that were covered in the order in council. For example, if the South Cayuga site is determined not to be suitable on its own merits, the corporation is charged with, so to speak, looking further afield in terms of areas or technologies. Secondly, the order in council and some of the speeches of the minister deal with the procedure the panel is to follow in very general terms. For example, they are to hold preliminary meetings and come up with a list of issues for the corporation to answer before the corporation makes a presentation to the hearing panel.

I am concerned that such areas are not covered in this act. I would like to ask one question about the status of the hearing panel's proceedings and, second, the status of the other areas that were covered by the order in council now that this legislation is being introduced.

Hon. Mr. Norton: With regard to the concern that each of you has expressed with respect to the order in council, it is certainly the intent that the present order in council, upon the passage of this bill, would be reissued in essentially the same form, the only difference being that it would be amended as necessary to refer to the corporation as established in the act, as opposed to the present corporation.

There is no intention whatsoever to alter in any way the procedural provisions and other guidelines that were laid out in the order in council. The one thing which will expand upon that is section 16(2) in the bill, where the authority would be given under the order in council for the hearing panel to have the powers of a commission under part II of the Public Inquiries Act. It is that mechanism which allow them then to subpoena witnesses, to take evidence under oath, to allow for cross-examination and so on, which I know was one area of concern that had been expressed by persons in terms of the powers of the present hearing panel.

Mr. Chairman: Is that satisfactory?

Mr. Coughlin: Yes, Mr. Chairman, I understand the answer. I just have one more related question. Am I right, or is it just the limited time we have had to study and review this, that section 14 delimits the scope of the corporation from what was originally stated in the order in council? I may be assuming this, but my assumption is that they are limited to looking at technology that is site-specific, i.e., funding for research into technology that is site-specific, and the particular site is limited to South Cayuga only.

I would make two points, one from the Environmental Assessment Act and one from the words of some of the corporation panels. Under the Environmental Assessment Act, the best way to select the best site is to compare more than one site. Secondly, some of the corporation members have stated, as Mr. Richardson has mentioned, that there are alternate solutions to the need.

One is to provide encouragement and even legislation to private industry to minimize the amount of waste they are producing. Am I right in assuming that the scope of the corporation's work under section 14 is being delimited from the way everybody, including the corporation, was reading the order in council?

Hon. Mr. Norton: I do not think that this substantially changes it. I have not got a copy of the order right in front of me. It is my understanding that the present order requires them to look at the South Cayuga site. In the event that they are not satisfied as to the safety of that site, then the section of the order in council reads as follows, "Whereas, if the report prepared here determines that the South Cayuga site is not a safe site, the corporation is instructed to find another location where the needed facilities can be safely established."

That provision would be binding on the corporation as well under section 4 of the act before us. In other words, if the panel concludes that the site or the technology is not safe, then that finding is binding on the corporation. If the panel concludes that the site is safe, then that is not necessarily binding on the corporation. It is still open to the corporation to determine that it is not satisfied even though the hearing panel is. So the binding nature of the decision only applies if it is a negative decision, or a decision that says, "No, that site is not safe."

Mr. Coughlin: These residual features of the order in council are remaining in effect, then, notwithstanding the way I have, unfortunately, I guess, read section 14 of the bill.

Hon. Mr. Norton: Yes.

4:30 p.m.

Mr. Nixon: Is it not true to say that the original intention of the announcement of your predecessor was that it was decided that the site would be South Cayuga and that there was no thought in the original announcement that alternative sites might be looked at?

That may explain why a person reading section 14 would simply have reinforced in his own mind that the corporation exists for one thing only, that is, to build a site at South Cayuga. That is not the only section where it is inherent that the corporation exists only to build a site at South Cayuga. The concept of maybe somebody saying that this is not suitable and then other actions might be required is a newer concept.

Hon. Mr. Norton: I cannot imagine that it was ever the intention that the project would proceed in South Cayuga, regardless of satisfaction on issues of safety. How that might have been expressed in the earlier announcements, I do not know. The subsequent establishment of the hearing panel then required the establishment of what the relationship and the binding nature of its findings would be upon the corporation. That is not intended to be changed.

Mr. Nixon: As a point of information, I wonder if I might ask the regional chairman how you pronounce Cayuga.

Mr. Richardson: You are doing very well--Kay-ooga.

Mr. Nixon: Anybody who does not live in the area always calls it Ky-ooga. Everybody in the news media et cetera calls it Ky-ooga, but everybody around there calls it Kay-ooga. It is a small point. It brings out the teacher in me.

Mr. Richardson: I stand corrected. That is right.

Hon. Mr. Norton: One can usually tell people who do not come from Toronto because they call it To-ron-to instead of Tranna.

Mr. Chairman: That is quite a point.

Hon. Mr. Norton: A few things were raised by Mr. Richardson that need a response. He began with the statement, as I understood it, that a basic and underlying concern of the residents of the area was that the site be environmentally suitable and technically and otherwise safe.

I think it is the intention of the hearing panel to determine essentially the safety of the site and, from an environmental point of view, the hydrogeological appropriateness

of the site and the safety of any technology that would be placed on that site for purposes of the treatment of the waste.

I know there has been some feeling expressed by a number of people that because the hearings will be held under a panel other than a panel under the Environmental Assessment Act there may be some sacrifice of the safety considerations or the environmental appropriateness. The only thing, as I see it, that is sacrificed as a result of the procedure that is now in place is that it would be focused upon an in-depth examination of one site as opposed to alternative sites--whatever number--as could be required under the Environmental Assessment Act.

There is a second alteration in that, the issue of need. I do not know of anyone who would suggest that there is not a need to do something about the problem of safe disposal of liquid industrial waste.

Mr. Nixon: It would not be a difficult matter for an environmental assessment board to establish that, would it?

Hon. Mr. Norton: One would hope that it would not be.

Mr. Nixon: I am prepared to give an argument that probably it is not as essential as you and your buddies seem to agree.

Hon. Mr. Norton: Actually, the sense of need in this particular area is growing. I am not speaking as within Ontario exclusively, but across this country. I mentioned in the House that I recently have been involved in some meetings with some of my colleagues from western Canada who are grappling with the same issue. In Quebec and in the Maritimes they are too.

Mr. Nixon: Are they suggesting that they do business with you and that you look after it?

Hon. Mr. Norton: That has not been the suggestion. The only reason for my involvement in the discussions with the western provinces was that there had been a federal report which had suggested that, for the area of northwestern Ontario from Thunder Bay to the Manitoba border, it might be more appropriate for any liquid industrial waste from that area to be transported west for disposal purposes, as opposed to being transporting elsewhere in Ontario. For that reason, I was invited to participate in the meeting.

The whole issue of transportation across provincial boundaries in the west is a difficult one for them to go with from a very practical point in view in terms of establishing a facility that could function effectively and efficiently. It is almost necessary for them to deal with it on a regional basis. Yet, politically, it is very difficult for them to deal with the matter of transportation across provincial boundaries. That is not a problem we have had to deal with at this point.

Mr. G. I. Miller: In Alberta, did they not look at many sites and have public input into? Isn't that a fact?

Hon. Mr. Norton: That has not eliminated all the problems though.

Mr. G. I. Miller: I understand that. But have they taken that approach?

Hon. Mr. Norton: I have not followed through their whole procedure. I know they have looked at more than one site and they have determined, I think at this point, what their preference is among the sites. Whether they went through a process of public hearings on each of the proposals, I do not know.

Interjection.

Hon. Mr. Norton: No, apparently they did not. But they did look at more than one site.

The concern was raised by Mr. Richardson about the matter of transportation. If I understand you from some discussions we had earlier, I am assuming that applies to the collection system, including how the transportation system is controlled as well as issues related more specifically to the site or the entrance to the site and so on.

For example, I recall some concern--I don't know whether it was by you or some of the other residents of the community when I was down--saying they would feel much more comfortable if the actual transportation was under the control of the corporation as well, as opposed to being in the hands of private haulers. Is that the issue that was foremost in your mind when you mentioned transportation?

Mr. Richardson: I am speaking of transportation in the broad sense and not just within Haldimand-Norfolk region. Of course that is my main concern, but we have to be concerned about all of Ontario. It appeared to me that you were limiting the scope of the corporation to the site of South Cayuga, by referring to this schedule. I and many of our people think, and they obviously have expressed it to you, that transportation is one of the very important factors in this. It should be addressed and not limit the corporation to this narrow field of South Cayuga alone.

Hon. Mr. Norton: I agree entirely with you. I think, though, that the provisions of section 14 allow for the expansion of the activity which, in my opinion, would include, for example, the direct involvement in the transportation of the liquid waste. Also, it would allow for the expansion of the activity to include the collection depots in other locations across the province as required.

The report has suggested that one of those collection depots be located in my community, in Kingston. I know that some of the citizens there have already raised concerns about that, but I can

assure you that if a similar process were in place in terms of assessing the safety of the collection site, I would certainly be prepared to support it in my community and would have been even before I happened to have the responsibility that I have at the present time.

4:40 p.m.

I realize we are talking about rather different operations, but it probably will be desirable, and it certainly is possible, for the corporation to have a fairly direct involvement in the matter of transportation. It is yet to be determined whether that would be in the form of actually having a fleet of its own vehicles or through some licensing function or something which would control the safety of the vehicles and the requirements for training of the drivers who would be driving the vehicles. That is something where I would not make a specific observation as to which might be the better. I do not think I am in a position to do so, but it has to be part of the activity.

There was a concern expressed about confidence in the hearings. One has to understand that, initially, the members of that hearing panel do have to get their sea legs or find their feet or whatever the appropriate expression might be. It was the intention, and I think it is going to take place, that before the formal hearings actually take place, part of the matter of how they will proceed and what issues will be identified in advance, in addition to those which might come up during the hearings, will be the subject of some input from the residents of the community that is most directly affected, rather than simply laying on from Queen's Park some sort of rigid procedure.

It certainly would be a hope that through that process the hearing panel would reflect in its approach procedures that would satisfy the concerns of the people as much as possible. I can appreciate the uncertainty of not seeing exactly at this point what is laid out, and I would hope that before the formal hearings actually begin that concern could be significantly redressed.

Mr. Brandt: There was some reference made by the earlier speakers to the possibility that there may not be justification for such a disposal site, based on the fact that perhaps the technology will develop to the point where this kind of material can either be burned off or disposed of in some other fashion. The minister in his comments made the point that it is a growing problem in Quebec and western Canada and so forth.

Do we have evidence or trend lines or statistics to indicate in some fashion that this is a growing problem and that the volume is going to be such that this kind of plant can be justified? Do you have this kind of support evidence? Mr. Nixon also referred to a similar thing, I believe, in his comments.

Hon. Mr. Norton: I share Mr. Richardson's and Dr. Chant's views on what the ideal situation would be. I can assure you I would much prefer to have an elimination at source of liquid industrial waste. At this point, there is no indication that I have seen of any appropriate technology being available.

If it should become available, then I would hope we would move very quickly in that direction. In the meantime, it is clear in every industrial jurisdiction that I am aware of that safe disposal of liquid waste is a problem. It is not by any means unique to Ontario. Perhaps the problem in some jurisdictions is worse than we have it here. Perhaps there has been less control even up to the present time. We are living with some of our ignorance--I guess that is the best way to express it--from the past in terms of things that were done in landfill sites and so on in years gone by.

We have become more aware of the need to eliminate that and have substantially moved in that direction. We have, I hope, moved completely in that direction with regard to the most toxic substances. But given the volume of liquid industrial waste, which at the present time in Ontario is estimated at 60 million gallons annually--not all of that would be in the area of high toxicity, but--

Mr. Nixon: Not all of that is to be going to South Cayuga.

Hon. Mr. Norton: No, absolutely not.

Mr. Nixon: Using that figure is just a little misleading. You are not looking at that particular volume.

Hon. Mr. Norton: That volume would certainly not be going to South Cayuga. I am not sure what the estimate is.

Mr. Scott: Roughly half of it goes to Tricil, and small amounts of around five million gallons--

Hon. Mr. Norton: I don't know if you are being heard or not. You might as well speak up so you can.

Mr. Scott: I will be glad to give the figures again. Of that 60 million, you are looking at roughly half goes to Tricil and the bulk of that is incinerated. The other half is essentially the inorganics. They are the ones we have been having the greatest deal of difficulty in disposing of because they do not burn effectively. The second half is the amount that would provide the substance of the bulk of the material that would be going to South Cayuga. Of that, less than five million gallons is, in any practical way, recycled or reused.

Mr. Nixon: Mr. Chairman, who is the gentlemen advising the minister?

Mr. Chairman: Graham Scott, deputy minister.

Hon. Mr. Norton: I am sorry, I ought to have introduced him. I assumed you might know him.

Mr. Nixon: Who is your other assistant and adviser?

Hon. Mr. Norton: Jim Jackson, who is one of our legal counsels in the ministry.

Mr. Nixon: Is Dr. Chant around here?

Hon. Mr. Norton: No. I saw him this morning in an entirely unrelated meeting.

Mr. Nixon: Did you mention to him, casually, that we were doing this today?

Hon. Mr. Norton: Yes, I did because he inquired as to the progress of the bill.

Mr. Nixon: Is he being paid at this point?

Hon. Mr. Norton: Do you mean for not being here?

Mr. Nixon: Apparently, if he is being paid, he is being paid for not being here. Why isn't he here?

Hon. Mr. Norton: I am sure he would be happy to be here. It was not requested by the committee and I did not see that it was particularly important.

Mr. Nixon: The whole thing stands on his reputation.

Hon. Mr. Norton: If you want to have him slip over, I am sure he could, but I am not sure where his office is.

Mr. Treleaven: Mr. Chairman, is this not enabling legislation? This is enabling legislation, not how many trucks are going to go down and how deep the porosity of the clay is. Is that not correct?

Hon. Mr. Norton: I am sorry. Would you repeat that question?

Mr. Treleaven: Is this not enabling legislation only, and not the nuts and bolts of the South Cayuga site?

Hon. Mr. Norton: True.

Mr. Treleaven: Therefore, why would Dr. Chant be here in the nuts and bolts of his safety inspection, so to speak?

Mr. Nixon: If this is enabling legislation, how come Dr. Chant is advertising across the province about what he intends to do? Who enabled him?

Hon. Mr. Norton: He was enabled by virtue of the actions that were taken by my predecessor last fall in terms of the orders in council and the Corporations Act.

Mr. Nixon: The enabling legislation is of real concern. The whole procedure is under way. We are in the dying days of the Legislature and, for all the talk from all parties of staying here till August, the concept of having a real kind of hearing here is something less than positive. We really ought to have some more professional input.

Frankly, I would like to talk to Dr. Chant some time. It is not going to be possible now, but there will be other opportunities to hear him. I would have thought that Dr. Chant would have been glad to sit in and listen to what was said about his baby.

Hon. Mr. Norton: I would just point out that Dr. Chant appeared, as I understand it, for several days before a committee of the Legislature during January and early February. It is not as if he is in some anonymous place.

Mr. Nixon: I do not recall anybody being thoroughly satisfied with the government's position, although it has changed somewhat since then. What the minister is telling us is that essentially this provides for an environmental assessment hearing and, we are led to believe, even a little bit better than that, except that this hearing will not look at alternatives.

Hon. Mr. Norton: I do not think that is a new observation.

4:50 p.m.

Mr. Nixon: The real argument is why do you not simply run the ordinary procedure and have an environmental assessment. The concept of not having sufficient professionals around to advise environmental assessment on alternatives, I do not think is really good enough. The only reason you do not want to look at alternatives is that the government has made the decision that it is going to go in South Cayuga. I think the rest of it is largely window-dressing.

Hon. Mr. Norton: It has made the decision that it is the first site and perhaps the ultimate site that will be looked at. It has not made the decision that it will be South Cayuga.

Mr. Brandt: If I read what you said earlier as being correct, you indicated that if the South Cayuga site is proven to be unsuitable, at that point you will look at alternative sites, but not until then.

Hon. Mr. Norton: And perhaps to put it even a little more positively, is not established to be safe.

Mr. Nixon: Right, but to use that as a justification to set aside three provincial statutes is insufficient in my view. That is an argument that we have taken in principle and that has been settled in principle, but it does not hurt to repeat it. There is one other matter that would be a clarification for me.

I notice that Mr. Richardson, the witness, having been conditioned like the rest of us, referred to this as the site. Now the site is a place where something is going to happen. Now what is going to be built there? How do you properly identify what is going to be built there, as you and your predecessor do not like it to be called a dump. Is it storage tanks. Is, in fact,

everything going to go in and nothing come out? What do you call this thing? After all, an ammunition dump is where you store ammunition. If you prefer repository, I can train myself. But site is the kind of euphemism that you are not going to get away with indefinitely.

Hon. Mr. Norton: Perhaps I could ask the deputy to run through this since he was involved in some of the earlier conceptual work and perhaps he could relate it to you more succinctly than I.

Mr. Scott: I think we can start off by saying that we cannot tell you exactly what is going to be on the site because that is largely, if not totally, at the discretion of the corporation. We can pretty well tell you what will not be on the site. What will not be on the site is a dump to receive untreated, liquid industrial waste. There will be storage; the use of the landfill deals with permanent storage.

I just want to draw the distinction between permanent storage and dump because in the form of permanent storage there may be certain items for which--and I do not mean just in Ontario, but generally speaking in the world--we have not developed proper destruction facilities. There may be some limited number of substances that have to be placed in barrels, in concrete forms and so on, and buried in a marked place, with the hope that that material can be removed and be recycled. But I think you are looking at well under a fraction of one percent as the kind of volume that would come in.

Mr. Nixon: Is anything going to go out on trucks because presumably you cannot keep taking it in indefinitely. Are you thinking of taking it in and treating it and putting it out into the lake in a pipe

Mr. Scott: That would be conceivable if the site were to proceed with a physical chemical treatment facility because physical chemical treatment will have some effluent from it, but it is by no means certain. Physical chemical is just one of the alternatives for dealing with inorganics. Other alternatives are solidification and fixation. The Stablex Company has now embarked on a series of experiments using Stablex material, which is a fixation process for construction projects and other text projects. There is a potential for recycling there of that material. I would not say that I would be prepared to endorse that.

Mr. Nixon: So it is not a disposal site and it is not a storage site.

Mr. Scott: There is some stuff that would have to be disposed of in the facility, for example, ash from the incinerator, if there is an incinerator on that site.

Mr. Nixon: You are not sure that you will have an incinerator.

Mr. Scott: I think that is virtually certain that unless we get some magnificent new breakthroughs in technology, a high temperature incinerator will be necessary.

Mr. Nixon: That will be for burning of organics.

Mr. Scott: Yes, with very high temperatures required to destroy certain kinds of pesticides. PCBs, for example, require extremely high temperatures, as you know.

Mr. Nixon: Have you ordered a plasma arc?

Mr. Scott: We have just put money into the development of a plasma arc. We have not ordered one.

Hon. Mr. Norton: I think I dealt with that last night in the House. The model appears to be working well. If a larger model works equally well, then presumably it will be one of the forms of technology that will be very carefully considered as part of the process.

Mr. Nixon: I do not want to just lead it astray again, but I guess I am going to. Why are you so reluctant to be enthusiastic about the plasma arc, you of all people? All of the phrases have been so tentative instead of really making something of this. I think the politics would be good.

Hon. Mr. Norton: They might very well be. You are much more experienced in that than I.

Mr. Nixon: I do not know. I listened to your speech last night and you said that the debate hit a new low in the Legislature. Then you read an extensive reference from Hansard from my colleague. I do not recall anything else of any significance there.

Hon. Mr. Norton: I am not sure that I said it hit a new low. I have seen it lower. I suggested that it was not of a very high calibre.

Mr. Nixon: It took quite a while for you to convey your general feeling about the debate. We have a general feeling about this too, having heard Dr. Barton, and I am sure your advisers know all about his research. He is a very compelling person. The research took place in your backyard and you financed it. You are sort of saying maybe it worked on a small scale, but if it works on a larger scale you might consider it. I do not consider that very enthusiastic. If you are going to build some kind of a rework cement kiln and fire it with oil down there, you might as well be doing it in Hazel McCallion's backyard as ours.

Hon. Mr. Norton: I can assure you that if that meets the technical requirements for safety and effectiveness, then I will be delighted. I could be very enthusiastic if I knew for sure. All I am suggesting is that even though I am a layman I have a degree of caution about getting too enthusiastic about something until I am certain of it. You would be surprised perhaps at the number of proposals that are brought forward by different people. Obviously, we have taken this particular one much more seriously than some.

Mr. Nixon: Sure. You spent \$400,000 or \$600,000.

Hon. Mr. Norton: I do not know what the figure was. There are very convincing proposals that have been brought forward by other persons who are using various kinds of engines, for example.

Mr. Nixon: But you tend to dismiss all of those generally. I feel that the concept of the government is to dismiss all those in favour of a big site with a lot of big tanks.

Hon. Mr. Norton: Your conception is misguided.

Mr. Nixon: I just observe what I see and hear.

Hon. Mr. Norton: In fact, a number of them have been looked at quite seriously. With respect to one that made it into the newspapers a while back where the proponent suggested we were not willing to take him seriously, the reason that it ended at a certain point was when further technical evidence and technical information was requested for evaluation, it was not provided.

Mr. Nixon: Is that the diesel engine?

Hon. Mr. Norton: Yes, as a matter of fact, it is.

Mr. Nixon: I agree with you. I am not pushing that one, but I can tell you you can do something with the plasma arc.

Hon. Mr. Norton: I certainly hope we can.

Mr. Nixon: And it would be done onsite. The concept of having storage and collection facilities in Brantford, Kingston, Guelph and Sarnia, particularly Sarnia, is not going to solve many of the problems. All this stuff is going to move slowly down to South Cayuga and over the years expand. The pressure is getting greater and greater. The potential of problems--I will not say catastrophe--is growing greater and greater, and you have not really solved very much.

Hon. Mr. Norton: We are participating in the effort to find solutions. Perhaps it would be helpful again to have the deputy describe where the plasma arc is and the jet engine proposal and any others you might wish to hear about.

Mr. Scott: I cannot give you an exact timetable. We are enthusiastic about the plasma arc and we are also very enthusiastic about the jet engine proposal that is being tested in North York, which had a somewhat better acceptance by the municipal government there than in Mississauga. In both those cases, they are coming along extremely well. We feel very optimistic about them. In the case of the plasma arc, we know the plasma arc destroys it. The problem is closing the system at the end to deal with any of the byproducts. There has been some concern expressed by Dr. Barton, so it is not a concern that we originated. He wants to do a thorough job and make sure the thing is properly done.

5 p.m.

There are some extremely small possibilities that without the system being totally enclosed to deal with the gases following the total destruction, there might be some other toxic compounds form or gases develop. This is just taking time; it is taking far more time than I would like.

Mr. Nixon: What if he is successful?

Mr. Scott: If he is successful then I am sure we will take one pretty quickly. We have certainly invested a great deal of money on it; I would like a return on it.

Mr. Nixon: Right, but the whole concept of that thing is that it does not have to be established at one central place; the machinery is portable and you could take it to Sarnia and clean them up--and Brantford.

Mr. Scott: You have to get approval at each place.

Hon. Mr. Norton: You have to be sure in advance that the byproduct is not more damaging than what you have destroyed, even though in small quantities.

Mr. McGuigan: Could I ask, Mr. Scott, do you have certificates of approval of the equipment you are talking about that is being used experimentally?

Mr. Scott: I am sorry?

Mr. McGuigan: You mentioned equipment that you were using experimentally to destroy PCBs and so on. Do you have certificates of approval on those?

Mr. Scott: I do not know. I would have to get the details, but I know that what they are doing has all been approved and also cleared locally because of concerns about any testing, but I have not got the information off the top of my head.

Mr. McGuigan: I would appreciate that.

Mr. Scott: I would be happy to supply it to you, Mr. McGuigan.

Hon. Mr. Norton: As far as some of the other possible technology goes, I am sure that Mr. Riddell would be prepared to describe the kind of technology he observed in Europe.

Mr. G. I. Miller: What about the solidification proposal by Walker Brothers? They do have a permit or a proposal for solidification. Is it being considered? I thought they had a contract.

Mr. Chairman: Where? In Walkerville?

Mr. G. I. Miller: No, Walker Brothers' quarries at St. Catharines.

Hon. Mr. Norton: No, to the best of my knowledge they do not have any certificate and they are not doing any solidification. There is a court case at the moment.

Mr. G. I. Miller: Again, as has been pointed out by my colleague, and to the new members of the committee, I think the fears I have of locating it here are a concern,. It is always going to be there.

As the mayor of Windsor is well aware, the fishing industry was ruined only a few years ago in Lake St. Clair and Lake Erie is one of the few fishing areas where the fishing industry is expanding, and the fishermen are concerned. The people in the area are concerned about the fear of the unknown. This is what we really want to protect and allay those fears and do it properly when we are doing it because we are pioneering a new project here.

Again, you indicated you have had some discussion with Alberta. I believe they looked at 16 sites in Alberta. The public participated. The public has been made aware of what is taking place and has been involved. My report is that they now have six communities that are willing to accept this proposal. It appears we are trying to jam something into an area. If it is good maybe we would want it, but the view that it is going to go there come hell or high water, and that is the feeling that everyone feels in the area, I do not think is right.

Mr. Minister, I do not think you want to take that approach. I do not think you would want to do it in Kingston and I do not think you want to do it down there. I think when we devise this we should give a little leeway in order to get the public involved, get the public's support and confidence. I think we can move forward on this and this is the opportune time to do it. I think we would support the establishment of a corporation, but to say it appears that it is going to go there, come hell or high water, is the thing that really scares myself and everybody concerned.

Hon. Mr. Norton: I have said it many time before, it seems. It is not the intention that it will go there, come hell or high water, in spite of safety considerations and all the rest of it.

Mr. Nixon: That is the high-water problem.

Hon. Mr. Norton: I am aware of that too. As a matter of fact, the chairman and some of his constituents guided me around the area and showed me. High water was not a problem at the time I was there, although they had some very well-located photographs of the site I visited during a period of time when there was a high-water problem.

Surely you can accept the fact that the whole question of the safety and any possible impact upon water quality and the fishing industry and, perhaps most important of all, any possible threat to human health is a very, very high concern on our part. We are not going to sacrifice those concerns for expediency at all.

You mentioned Alberta and the fact that there are a number of communities that have indicated a willingness to have the treatment facility located within them. As I understand it, that is correct. However, I would point out that at this point in time I do not think they know what it is they are asking to have put into their communities. Presumably, they have a long distance to go yet before they know or would be satisfied as to the question of safety and so on if they go that route.

Mr. G. I. Miller: Would it not be a nice feeling for you to have six communities wanting it rather than not?

Hon. Mr. Norton: Of course it would, but I would also point out that the process that has been established, and which would be furthered by this particular bill in terms of establishing the corporation and giving the hearing panel some additional power, will result in probably the most comprehensive possible hearings to examine the matter of the safety of that site and the safety of any technology that might be put there.

The citizens have been through the corporation and with my endorsement certainly of the concept it has been indicated to them that the corporation will provide financial assistance through the hearing panel to provide them with technical support in their efforts to ensure that they can fully participate in the hearings. I would think that if that process is fully used, by the end of that process either the residents will be much closer to being satisfied with respect to the safety or the site ultimately will not be approved, because perhaps it has not been established to the satisfaction of the hearing panel either under those circumstances.

Mr. G. I. Miller: Would you draw the bill up to give that assurance so that we know we are going to be protected? I think that is all we are asking. If the bill is drawn up in that manner, I think the people would accept it and we will not take long to deal with it.

Hon. Mr. Norton: I am not sure what you are suggesting we put in the bill.

Mr. G. I. Miller: To broaden it out, to look at other sites.

Hon. Mr. Norton: That is not what I was suggesting. The provision certainly is there to provide for the corporation to look at other sites if this site is not proved to be a safe site.

Mr. G. I. Miller: That is really what we are requesting, to broaden it.

The second thing is the transportation. No matter where you locate it in Ontario, you draw it all to one spot. It is not a good way to be dealing with it in the first place because it should be dealt with in regions. I understood that the Kitchener-Waterloo region was trying to establish its own disposal facility. I think you have a facility down at Sarnia.

Hon. Mr. Norton: Tricil.

Mr. G. I. Miller: Tricil, yes. So you do not have to truck it from there. Do you want to truck your waste from there to South Cayuga? I do not think that makes sense.

Hon. Mr. Norton: It is intended that Tricil will continue. It is not intended that that operation be shut down, provided that it continues to safely treat the waste that it receives. There are some limitations to the question of doing it on a regional basis because it is quite possible, for example--and this is one of the problems that the west is grappling with in terms of volumes--there are certain processes that might be used to safely destroy or dispose of the thing--I am thinking particularly of destruction--or treat the materials that require certain volumes or they do not work effectively.

5:10 p.m.

To say let us do it in each region of the province, then we probably would end up, if we were to take that kind of approach, with four or five ineffective and inefficient sites--inefficient in the sense that they might not work effectively to destroy the material that the process is intended to destroy. Certain volumes of it, apparently, I am told--I am not an expert but I am told--are necessary for the process to work effectively.

Ms. Bryden: Mr. Chairman, I am not very sure exactly what we are doing right now. I had a bill in the House so I was a little late.

It seems to me that we are here to look at a bill establishing the Ontario Waste Management Corporation and I think that is what we should be dealing with. I, personally, have been in favour of a public corporation to deal with the question of toxic wastes for a long time because I think it is such a big problem, affects the whole province and the private sector does not seem to have been able to provide facilities for it. I think it should have been looked at and proceeded with two or three years ago before the problem got as serious as it has.

On the other hand, the proposal in this bill has at least two very serious flaws in it. No environmental assessment is one of them, which means no looking at alternative sites or even alternative processes, as we were talking about with the arc proposal, which might allow for regionalization. The second thing that the bill seems to concentrate on is one location only; it all must be in this one location.

Those are the things I think we should be discussing here, as to whether the bill should be changed in those two respects. I have heard a lot of people suggesting alternatives should be looked at. If there was a proper environmental assessment, they would be looked at.

Therefore, I think we should be discussing what kind of a corporation we are going to have because we need some body to handle this very serious problem, whether it should be subject to the environmental assessment process and whether it should be located in the one place that is listed in the schedule to the bill.

Mr. Chairman: Ms. Bryden, we have been discussing it and we have the chairman and the planning commissioner of the region here. They have explained to us what they felt were flaws in the bill and we have been discussing it from there. Really, what you are suggesting we should be discussing is in fact what we have been discussing just on a round-table basis.

Do you have any questions of the chairman of the region?

Ms. Bryden: I am sorry, I did not hear their presentation.

Mr. Nixon: On a point of order, since you have indicated that you would be very glad to have the chairman and the planning commissioner stay and participate as we went through the bill in any area where they might have some input, maybe we could just deal with the bill, section by section, and allow them to assist us if there is any area where their advice might be helpful.

Mr. Chairman: Are there any further general questions then?

Ms. Bryden: I have one general question. Could the minister indicate what kind of financial assistance is being contemplated for citizens' groups? He talked about expert witnesses, but will there also be funding to enable them to prepare briefs, hire researchers and generally have somewhat the same sort of clout as the corporation will have as the proponent?

Hon. Mr. Norton: It is not my specific proposal; I have endorsed the concept. You probably saw the announcement from Dr. Chant indicating the preliminary basis at least of what the corporation was. I had previously, privately and publicly when I was in South Cayuga, indicated my endorsement of that concept on the basis of what I understood Dr. Chant had said at a meeting in South Cayuga he would like to see.

As I understand it, he expressly addressed the question of technical support and I believe also expressly excluded legal fees. I presume that would also mean other than what the technical support persons would be able to provide--hiring draftsmen and whatever else. I think that will be clarified, as he indicated in his press release. In terms of his future announcements, I think it would be for him to make those announcement, not me.

Ms. Bryden: As you know, some of these hearings go on for a long period. You really need to hire somebody as your monitor there, often a lawyer. You also need somebody to cross-examine the other side's expert witnesses. That would involve some legal fees. Is he not contemplating any of that sort of a system?

Hon. Mr. Norton: It is my understanding that he is not and I think, again, the specifics of what he is proposing will be announced by him, not me.

Ms. Bryden: While we are on this subject, may I ask the minister if he would care to reply to my question on the second reading? You did not have very much time to reply last night to my question of whether the principle of funding of citizen's groups for environmental assessment hearings generally would be extended to other kinds of environmental hearings beside the South Cayuga one.

Hon. Mr. Norton: No.

Ms. Bryden: You do not think that this is a precedent?

Hon. Mr. Norton: I suppose if it is a precedent, it is a precedent for a proponent through the hearing tribunal--whatever the tribunal might be--to make funds available.

Mr. Nixon: He made it very clear in local reports that this was no precedent. I do not know how he is going to carry that off because it certainly is a precedent.

Hon. Mr. Norton: I understand that there was a royal commission that--

Mr. Nixon: Dr. Porter had a few of these things, but this is recommended by the minister. I think it is game over as far as precedent-setting is concerned.

Hon. Mr. Norton: As I say, it is a precedent only in that it is the proponent who is making funding available.

Ms. Bryden: Let us be realistic, Mr. Minister, how many proponents are going to do it?

Hon. Mr. Norton: We will see if they will follow the good example set by the waste management corporation.

Mr. Nixon: They only have one source of funds, and that is your hip pocket.

Hon. Mr. Norton: If it is my hip pocket, they are not going to get much because it's empty.

Mr. Chairman: Perhaps we should move on then.

Mr. Brandt: I have one question for the minister. Have the board members been chosen? Have they been named? Is such a list available? I have not seen it.

Hon. Mr. Norton: Yes.

Mr. Brandt: Perhaps you could circulate a list for the members of the committee just so we know who the players are. I think that would be of some interest to us as well.

Hon. Mr. Norton: Among the members of the board, in addition to Dr. Chant, who is the chairman, there are two local persons. One is Mayor Fuller and the other is a representative from the community, Frank Sommer, who, I believe, is president of the local federation of agriculture. There are also some industrial representatives or persons who have experience in the chemical field.

Mr. Brandt: There is one from Polysar, Sarnia.

Hon. Mr. Norton: I am sorry I do not know the names. The only two I have personally met are Dr. Chant and Mayor Fuller. Here is a list I can simply read to you, if you like. I only have one copy of it with me. There is Dr. Chant; Mr. Harvey Polk, a metallurgical engineering graduate of Queen's University, who is with Stelco; Mr. Firman Bentley, who is vice-president, rubber and plastics, at Polysar Limited in Sarnia; Stephen Rodd, who is rural planner on the staff of the University of Guelph; James King, who is president of Alfa Laval in Peterborough; Frank Sommer, who is the past president of the local federation of agriculture; and Mayor Fuller of Haldimand.

5:20 p.m.

Ms. Bryden: Mr. Minister, your predecessor said there would be two community representatives, two technical experts, and two from community organizations--the conservation council which Mr. Rodd is from and the federation of agriculture. You have your two from agriculture and conservation council. Are the industrial representatives considered the technical experts?

Hon. Mr. Norton: I would presume so. They range from metallurgical engineers to professors at the school of agriculture in areas that are related. I have not got the list in front of me now, but I think those bases have effectively been covered. Some people may cover more than one base in the sense that Mayor Fuller and the past president of the federation of agriculture in the community are both community representatives. Mr. Sommer, presumably, would also be an agricultural representative to meet that criterion.

Ms. Bryden: Do you think you have adequately covered environmental groups like Pollution Probe, if you only have one conservation person.

Hon. Mr. Norton: I do not know that it was ever intended to put Pollution Probe on. I suppose Dr. Chant, being the founder, might be an effective person to be there.

Mr. Scott: Dr. Rodd was selected on the recommendation of the conservation council, which at that time was operating as an umbrella group for the various environmental and naturalists groups within the province. They went through their own selection procedure. They had a number of nominees who were considered, and it was on that basis that Dr. Rodd was appointed to the board. So

I presume that Pollution Probe had some say in that matter. The Canadian Environmental Law Association did at the time and disagreed with the whole process. I believe CELA subsequently withdrew.

Mr. Bryden: Do you not see a possible conflict of interest in having Stelco and Polysar representatives because they are also generators of waste in the province? While they may have certain technical expertise, it may be only in their particular kind of waste. Do you not need some general technical people, perhaps from the ministry's research staff or from universities?

Mr. Scott: From the beginning we wanted to have some representatives from the producers, not only because of the their experience in the area, but also because some of the advice we received internationally was that any properly integrated site should be developed one stage at a time with a thorough knowledge of the requirements of the producers as well.

We asked the producers, in effect, to recommend a couple of people to us, which is how we came across Messrs. Polk and Bentley. We also asked them to give us people who had experience in development of facilities. In the case of Mr. Polk, for example, as chief engineer at Stelco, he had a great deal of involvement in the development of the Nanticoke industrial facility down there. He also had significant experience on the developmental side, so we also asked Stelco if they could assist in providing people with those mixed talents.

In many cases we looked for a mixture of talents, that is, management skills and technical skills. As well as representatives from the conservation groups, we also wanted to have representatives from the industry because it is important in developing the site that we have a full appreciation of the types of problems that are going to be produced and how they should be handled in the design of the facility.

Ms. Bryden: You do not see a possible conflict of interest? They may be consumers of the services.

Mr. Scott: Everyone has a conflict of interest. Certainly the mayor of Haldimand has a conflict of interest; Mr. Sommer has a conflict of interest. If you look at it that way--

Mr. Nixon: Her conflict was so extreme that her council kicked her out of council meetings when they were discussing it.

Hon. Mr. Norton: I think they attempted to unsuccessfully.

Mr. Nixon: Oh, well, she left the council all right.

Hon. Mr. Norton: And returned, I believe; I am not sure. Anyway, I hope you would not assume that because people happen to be engaged in the chemical industry or other industry, it necessarily flows from that that they are not as concerned about this matter as any other citizen.

I think if you were to speak to Mr. Brandt, he would confirm that one of the reasons that the community in which he served as mayor for a number of years is so well equipped in terms of coping with any possible accident and so on relating to chemicals, for example, is that it has, through the participation of the local industries, and growing out of the concern of the local industries, probably the best response team and one of the best groups of experts in the area of anywhere certainly in Ontario and probably Canada. They have been called upon to go to the United States to provide support in cases of certain kinds of emergencies.

You will find that a lot of the people--maybe you have identified some who are less concerned than others--who are involved in the industry are concerned about doing something about this issue. I do not think you should assume that because they are associated with a generator of waste that they are just looking for somebody's farm field to dump it in and get it out of their backyard. I do not think that is the motivation at all.

Ms. Bryden: But they may be more interested in certain facilities being developed ahead of other facilities.

Hon. Mr. Norton: One could argue, I suppose, that persons who had known and sincerely held environmental concerns, expressed through involvement in CELA or other such groups, would have a conflict of interest as well, in the sense that they might go in with a predisposed view that they did not want anything located there. So you cannot get away from the assumption that we all have some bias that our experience brings to bear upon our perception.

Mr. Chairman: Are we ready to go through the bill?

Mr. Nixon: Mr. Brandt's question really was about the board. Does Dr. Chant work full-time at this? What are we paying him?

Mr. Scott: We have a timesharing arrangement with the University of Toronto whose principle involvement is with the development of the centre for toxicology. We can supply it, but I just do not happen to have it here. He is paid a per diem. There is some sort of setoff, and then there is the usual pension arrangements set off against time at the University of Toronto.

Mr. Nixon: Are the expenses of the corporation now being paid by warrant?

Mr. Scott: We are transferring, for the moment, certain lump sums from the special budget item in the waste management branch of the ministry to the corporation to carry on their current activities.

Mr. Nixon: I just wanted to mention this to you, Mr. Minister, because you are probably following what has happened in Ottawa, where the Speaker has thrown out the financing of new

aovernment projects that were not done by legislation, but just included in the estimates and paid for through the estimates. Have you been following that?

Hon. Mr. Norton: No, I have not.

Mr. Nixon: One of your political colleagues has made a big thing of it in Ottawa. The Speaker has agreed, saying that really one cannot finance new government projects of any kind that are going to be based on legislation simply by including money in the estimates and then paying for it out of the estimates. It would be worth while getting your colleague immediately to your left to look at that because they are obviously spending money and it has not been approved. It is just a small point.

5:30 p.m.

Mr. Chairman: Thanks for raising that small point, Mr. Nixon.

Section 1 agreed to.

On section 2:

Mr. Nixon: May I ask the minister why he did not simply continue with the old Ontario Waste Management Corporation instead of forming a sort of special one? Was there not a limited share capital or some kind of a thing that we had established?

Hon. Mr. Norton: From last fall?

Mr. Nixon: What is the meaning of the explanatory note: "The bill provides for the transfer to the corporation of all the assets and liabilities of the share capital corporation known as Ontario Waste Management Corporation"?

Mr. Treleaven: I believe the reasoning is that the old corporation was under the Business Corporations Act and therefore subject to all the ramifications and upcoming amendments to that act. Rather than leave it open to the weaknesses and the uncertainties that are going to be with us over the next couple of years under the Business Corporations Act, they wished to set up a particular corporation without share capital, but not under the old act. You will notice that is specifically out of it.

Mr. Nixon: Mrs. Bryden was mentioning this. There is something strange that has not been fully explained or even discussed. When the old Ontario Waste Management Corporation was established not so long ago--

Hon. Mr. Norton: What do you mean by old?

Mr. Nixon: The one you are phasing out. All of its assets are being transferred to this one.

Ms. Bryden: It was established last fall.

Mr. Nixon: That is what I mean by old. One of the strange aspects about it is that nobody even knows it existed, including some very highly placed people.

Hon. Mr. Norton: It was announced. What do you mean? It was certainly done publicly; it was not done in any way as to--

Mr. Nixon: Was there not a corporation that was established the way the member for Oxford has described?

Hon. Mr. Norton: Yes, on January 2, 1981.

Mr. Nixon: What are you transferring its assets to this thing for?

Hon. Mr. Norton: Dr. Parrott, my predecessor, announced at the time he did that that it was his intention at the first opportunity to establish a crown corporation.

Mr. Nixon: So that simply provided a vehicle through the ordinary Corporations Act.

Hon. Mr. Norton: Yes, until he would have been in a position to bring in the requisite legislation. Since he made other plans, I have the--

Mr. Nixon: It seems to be a weird procedure.

Hon. Mr. Norton: It was to enable the corporation to get started pending the introduction of the legislation.

Mr. McGuigan: Mr. Minister, since you had this corporation started last fall and established on January 2, why did you not proceed then with this act?

Hon. Mr. Norton: The corporation, in fact, was established on January 2, and I do not believe the House was sitting at that time. It was announced by my predecessor, I am sure, at that time that it was his intention to proceed with this legislation at the earliest opportunity.

In fact, I have his statement here. It says: "It is called the Ontario Waste Management Corporation. This company will be incorporated immediately. I will shortly introduce legislation to set up a crown corporation to assume management and development responsibilities." And this is pursuant to that same announcement.

Section 2 agreed to.

On section 3:

Mr. Charlton: There are some questions there.

Mr. G. I. Miller: Section 3(a) indicates, "to research, develop, establish, operate and maintain facilities for the transmission, reception, collection, examination, storage, treatment and disposal of wastes including sewage..."

Will that include radioactive waste?

Hon. Mr. Norton: No. We do not really have jurisdiction to deal with that, in spite of the perception of the public relating to Bancroft at the moment.

Mr. Nixon: Bancroft, another of your great successes.

Hon. Mr. Norton: It is not my great success. I am not going to take responsibility for it.

Interjection.

Mr. Charlton: Mr. Chairman, I would like to ask the minister a question about section 3(a). We were discussing earlier and the minister was suggesting that the area of transportation, collection and so on had not yet been completely determined, whether or not the corporation would be operating those facilities or whether they would just be controlling them. It seems to me that section 3(a) indicates that they will be--and perhaps it even restrict them to it--doing the whole thing themselves.

Hon. Mr. Norton: I think the interpretation could be placed on it that it enables them to do it, but because the objects of the corporation may say that it is a corporation and among its objects it has the holding of land, for example, it does not mean it is mandatory that it hold land. The objects of a corporation sort of set out what the breadth of its powers are. If it engages in something that is not set out in its objects, then it is not acting within its charter and it has some problems. I would think you are correct in assuming that the facilities for the transmission, for example, would include transportation of the wastes. So it could do it, but I was saying it had not been determined how it would do it at this time.

Mr. McGuigan: Mr. Minister, just to return to the same point, is not radioactive waste under Atomic Energy of Canada Limited and it cannot be handled by the province?

Hon. Mr. Norton: I think it is the Atomic Energy Control Board.

Mr. McGuigan: The AECB. So we want to clearly establish that there is no radioactive material.

Another thing of concern is "including sewage." Would this mean that a town could have its sewage piped out there and treated there or is it just talking about sewage sludge?

Hon. Mr. Norton: No. I just asked why that word was even in there and, apparently, under the Ontario Water Resources Act the word "sewage" is defined to include anything that is in a pipe. If the liquid waste had been in a pipe from an industry, for example, under the definition in that act it would be sewage even though it is not the normal sort of municipal waste.

Mr. McGuigan: If it was piped into a truck and then the truck taken out there, it would be included.

Ms. Bryden: Does this also includes solid wastes? It just says wastes; it does not say liquid or hazardous or toxic. Does that include all kind of wastes?

Hon. Mr. Norton: I think that it would because the corporation at some time concievably could undertake the responsibility for establishing a facility for dealing with solid wastes, although some of the stuff that it might be dealing with here, I suppose, could be defined as solid in the sense that it may not--

Mr. Scott: Pesticides, contaminated clothing. You may have some solid form PCBs which you would want to destroy, so we would obviously have to take in a large number of solids. The idea of using this at the moment for, say, a garbage facility is not intended, but the power would cover that if that were considered appropriate.

Hon. Mr. Norton: I suppose that if one were to be particularly technical, it is my understanding that PCBs have dioxin which is not soluble. In fact, it may be suspended in liquid but it does not dissolve.

Ms. Bryden: I think it is a good idea to have as broad a definition as possible. I just wonder if the definition is broad enough also to cover programs to reduce the generation of waste back at the factory or the home and also to recycle any wastes that come in that could be reused. Would it be broad enough to cover those two activities which are really part of the solution to the problem?

5:40 p.m.

Mr. Jackson: The corporation has all the powers of a natural person, so it can do anything that is related to the objects. In connection with its specific objects, it can research anything to do with the disposal of wastes. That could include eliminating the necessity for the disposal of wastes.

As a matter of fact, as the minister announced, one of the things that will be dealt with by order in council under section 4 will be to specifically authorize the corporation to do that, even if it happens to reduce its revenue, so that the directors will not face the conflict of interest that directors under ordinary corporate law do, in trying to maximize profits, and that they would run into if they were encouraging people not to give it business. That has been thought of and it is covered in here.

Hon. Mr. Norton: I knew it was the intention that would happen. I was not sure whether this covered it.

Ms. Bryden: Do you see the corporation engaging in both recycling and public education on waste reduction?

Hon. Mr. Norton: I would think that would certainly be within its mandate. Obviously, Dr. Chant is committed to that. Has everyone received a copy of the compendium? In that there is a

section saying, "The Lieutenant Governor in Council may establish policies for the corporation. Initially, this will require the corporation to abide by municipal bylaws which do not frustrate the corporation's objects, make any recommendation by the hearing officers not to proceed at South Cayuga binding on the corporation and encourage recycling and reduction of waste at source." That certainly is the intent.

Ms. Bryden: I hope it will be carried out.

Mr. Richardson: Mr. Chairman, I do not know what our role is here now, whether we are following the suggestion of Mr. Nixon or whether we are allowed to speak or not. You have not clarified that.

Mr. Chairman: I did say that you could participate in the discussion.

Mr. Richardson: It would appear to me then, Mr. Chairman, that while the objects in section 3 are commendable, when you turn to section 14, it seems, in my estimation, to limit those objects to one area.

Ms. Bryden: It may not be possible to carry out all those objects in that one area.

Mr. Richardson: Not in that one area, no.

Hon. Mr. Norton: I do not think it eliminates those options, nor does it say that the only thing it can ever do has to be done on that site. The intent of the bill is to clearly have them look at that site first. Given the fact that the funding for the corporation will be public funding, it would be impossible for us to say that they could do anything they want anywhere in the province without any reference to the executive council. Otherwise, it would simply be engaging in activities that might incur great expenses that we could not cover. Obviously, we are committed to meeting their costs, but that would be done with reference to the executive council. I can assure you that the legislation does not limit them for all time to one site.

Section 3 agreed to.

On section 4:

Mr. McGuigan: Mr. Chairman, one of the real problems that has already been mentioned is the matter of trust. I do not pretend to say that I know the last word on this at all, but I have had some experience because of the Harwich episode. It bothers me a little bit to think that the cabinet sets policies when we are trying to create the impression here that we have an arm's-length corporation--a semi-arm's-length corporation anyway--running this, and yet the cabinet is going to set down all the policies and the corporation simply carries it out.

I do not have it before me, but I understand the Power Corporation Act under which Ontario Hydro acts gives Hydro an awful lot of leeway in setting its policies. Whenever we criticize

any of the Hydro policies in the Legislature, we are told: "It is the Hydro corporation that runs it. It is sort of an arm's-length affair." It bothers me; I just wonder what you think about it.

Hon. Mr. Norton: The order in council is a public document; it is published. It is not as if it is something that would not be open to public scrutiny.

There was another provision of some significance that we will come to a little later in that if the members of the board--and they are to some extent reflective of the interests of the people in that community and others as well--are not happy with a policy of the government, although they follow it, they are free to speak out.

That is one of the reasons we included the provision that, for example, board members could only be removed for cause, not simply because they spoke out against government policy or something like that. We want to make it clear that they could not simply be removed at the whim of government but only for cause.

Mr. McGuigan: Just to pursue that a little further, who determines the cause?

Hon. Mr. Norton: If it were in question, whether or not there was a cause would be determined by the courts. If a person were removed other than for cause--and please don't ask me to give you the legal definition of it--the government would have to be prepared to substantiate that it was for cause, not simply because they disagreed with each other or something like that.

Mr. McGuigan: That is reassuring because I was removed from just such a board for not following government policy a few years ago.

Mr. Charlton: On the same section and on the same concern, one of the things that concerns me about the fact that it would be the executive council that is setting the policy of the corporation is that we here have had literally hundreds and thousands of examples when this assembly and the executive council of this assembly have charged experts with studying a problem and making recommendations and then proceeded to ignore those recommendations.

In effect, that is what we can see in this particular section of the bill. The ultimate power, no matter what this corporation decides should or should not be done, does not lie with the people with the expertise; it lies with the politicians here.

Hon. Mr. Norton: Are you suggesting you would rather not have the government be responsible for what the corporation does? Surely, if the government is going to be responsible, it has to have some way of indicating to the corporation what the policy of the government is.

Mr. Charlton: I am not suggesting that the government should take no responsibility. What we would like to see is some more clearly defined objects and powers and responsibilities on the part of the government. Part of the concerns that have evolved--

5:50 p.m.

Hon. Mr. Norton: What you would really like to see is the government take all the blame but not able to exercise its influence.

Mr. Charlton: I did not suggest that the government should not be able to exercise any influence. I am just trying to suggest that in the way this section is set out the street is all one way and there is no responsibility on the part of the government to seriously consider or even necessarily make public anything that the corporation may be recommending should happen or should not happen.

Hon. Mr. Norton: There is nothing to prevent the corporation from making public what it may be doing.

Mr. Nixon: On a point of order, we have a bell I think for an amendment vote. Do you want us to return afterwards?

Hon. Mr. Norton: Is there any chance that we could get through it before--

Mr. Charlton: I cannot stay personally.

Hon. Mr. Norton: Given the fact that after going through clause by clause for some time in the other bill that was before another committee with some of the same players, we are now going back to clause by clause in the House. What about the possibility, since we have now heard from the delegation, of referring this back to deal with the clause by clause in the committee as a whole? That might be preferable.

Mr. G. I. Miller: Would the minister be willing to sit down with the regional chairman and his planning commissioner to consider some of the views that they have expressed and given consideration in bringing in an amendment.

Hon. Mr. Norton: If they have any particular recommendations in terms of amendments, they would certainly be free to either submit them to me or to yourself, and you could deal with them in clause by clause.

Mr. Nixon: Under those circumstances, I think probably we would be prepared to carry the bill here and send it back to committee in the House if you want to do it there.

Mr. Chairman: Is it agreed?

Mr. McGuigan: Since we have the witnesses here, is it out of the question to go on until seven o'clock?

Ms. Bryden: Could we get permission to sit tomorrow afternoon?

Mr. Chairman: We would have to send it back to the House for determination, I would think, if we do not do as Mr. Nixon has suggested.

Mr. Charlton: To go back to the comments I made at the outset of the session, Mr. Chairman, the instructions from the House did not limit us to sitting just this afternoon on this bill. If the committee wishes to determine another time to sit again to deal with this bill, we have the power to do that.

Hon. Mr. Norton: It is equally open to the committee to say since we have heard from the delegation we can complete clause by clause in the House.

Mr. Nixon: Certainly we were anxious that it come down here so that anybody from the area could appear. It is certainly short notice, but I am afraid there is not going to be longer notice. We do not take responsibility for that. I know the minister does. But since we have been able to hear from the regional chairman and the planning commissioner, we would be prepared to complete the detailed examination of clause by clause in committee of the whole.

Mr. Treleaven: Mr. Chairman, is it agreed that section 3 to the end, including the titles and schedules, be carried?

Ms. Bryden: Rather than vote on that, I thought there was a motion that we go back to the House.

Mr. Chairman: This is what has to be done in a legal fashion.

Mr. Treleaven: We carry it here and it goes back to the committee of the whole House.

Mr. Nixon: Mr. Chairman, may we report it and direct it to the committee of the whole?

Ms. Bryden: Mr. Chairman, speaking to that, I feel that we have not had adequate time outside the House. We have not got to the really substantive sections, particularly the one about environmental assessment, and I think we should ask for permission to sit either in the morning or the afternoon of tomorrow. I think that is the only reasonable way we can proceed.

Mr. Chairman: Do you amend the motion to that effect?

Ms. Bryden: I will make a motion to that effect.

Mr. Chairman: Does the amendment carry?

Motion negated.

Mr. Chairman: Shall sections 3 to 22 and the schedule carry?

Ms. Bryden: You mean this takes precedence over my motion?

Mr. Chairman: You had no support on your motion; you had no support on your amendment. I asked, "Shall the amendment carry?" and I heard no voices.

Ms. Bryden: Well, we really did not put the question.

Mr. Eves: There is a question on the floor, is there?

Hon. Mr. Norton: Does the bill carry then?

Sections 3 to 22, inclusive, agreed to.

Mr. Chairman: Shall the bill be reported?

Agreed to.

Bill 90 reported.

Ms. Bryden: I would like to register a vote against the bill.

The committee adjourned at 5:55 p.m.



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724

STANDING COMMITTEE ON GENERAL GOVERNMENT

CITY OF LONDON ACT

WEDNESDAY, OCTOBER 28, 1981



STANDING COMMITTEE ON GENERAL GOVERNMENT

CHAIRMAN: Barlow, W. W. (Cambridge PC)  
VICE-CHAIRMAN: Brandt, A. S. (Sarnia PC)  
Bryden, M. H. (Beaches-Woodbine NDP)  
Copps, S. M. (Hamilton Centre L)  
Eves, E. L. (Parry Sound PC)  
Hennessy, M. (Fort William PC)  
Kells, M. C. (Humber PC)  
McGuigan, J. F. (Kent-Elgin L)  
McKessock, R. (Grey L)  
Runciman, R. W. (Leeds PC)  
Sheppard, H. N. (Northumberland PC)  
Wildman, B. (Algoma NDP)

Clerk: Nokes, F.

Substitutions:

Dean, G. H. (Wentworth PC) for Mr. Brandt  
Gordon, J. K. (Sudbury PC) for Mr. Sheppard  
Pollock, J. (Hastings-Peterborough PC) for Mr. Hennessy  
Van Horne, R. G. (London North L) for Mr. McKessock  
Watson, A. N. (Chatham-Kent PC) for Mr. Eves

From the Ministry of Consumer and Commercial Relations:  
Cooper, J., Legal Counsel

From the Ministry of Energy:

Rounding, M., Crown Law Officer, Legal Services Group

From the Ministry of Environment:

Swaigen, J., Solicitor, Legal Services Branch

From the Ministry of Intergovernmental Affairs:

Donaldson, B. T., Adviser, Legislation Section, Local Government Organization Branch  
Maitland-Carter, G., Solicitor, Office of Legal Services

From the Ministry of the Solicitor General:

Ritchie, D. A., Consultant, Financial Services Branch

Witnesses:

Blackwell, R. A., Solicitor for the City of London  
Dawson, C. G. S., Solicitor for Victoria Hospital Corporation  
Gibson, R., Private Citizen  
Mahon, J., Private Citizen  
Maudsley, G., Private Citizen  
Scherer, J., Private Citizen  
Soltys, J., Private Citizen  
Wyllie, R. G., Private Citizen

LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON GENERAL GOVERNMENT

Wednesday, October 28, 1981

The committee met at 2:10 p.m. in committee room No. 1.

CITY OF LONDON ACT

Consideration of Bill Pr8, An Act respecting the City of London.

Mr. Chairman: We should get the afternoon session under way here and proceed with part II of the City of London bill relating to the Victoria Hospital Corporation. Mr. Van Horne, would you like to start?

Mr. Van Horne: Mr. Chairman, I would like to make a couple of introductory comments, if I could, because we do have an issue here that is a concern to the citizens in the south part of the city of London. Certainly it is an issue which is of concern to the Victoria Hospital Corporation and the municipal government.

It may be putting it too simplistically to suggest that this is a chicken-and-egg situation, but that is how I see it. When I say that, I would like to elaborate just for a moment to point out that part II really authorizes the Victoria Hospital Corporation, or some corporation controlled by it, to design, construct and operate a plant and related works to the plant for the generation and distribution of utilities. The sentence has to be underlined, "for the design, construction and operation of a plant."

However, the story goes a little further than that because there is no question that for some time the Victoria Hospital Corporation has considered the feasibility of such a plant generating heat through waste. That concept is not unique or one which has been thought of just recently. I would hark back to the speech from the throne in 1980. This government in Ontario said on the opening day of the Legislature, March 11, 1980, the following:

"During this session, a number of measures will be introduced to improve Ontario's security of energy supply. In particular, my government will carry out initiatives in such areas as energy from waste, synthetic liquid, cogeneration, upgrading of heavy fuel oil, small hydroelectric developments and the full development of nuclear power capacity for industrial purposes, special activities, of which the Bruce Agripark, the Edwardsburgh methanol feasibility project and London's Victoria Hospital waste-based heating plant can be taken as examples, will be pursued by the Ministry of Energy."

So this is not something that has just come as a flash in the pan. I did start off by saying that it is a chicken-and-egg situation. As I understand it--and certainly Mr. Blackwell or his colleague can speak to this--once approval comes from the government for the design and building, then it is incumbent upon

the Victoria Hospital Corporation to take its plant design and present it to the Ministry of the Environment so that it can be put to the test, as it were, by the Ministry of the Environment to assess the equipment in the plant and the plant itself and, in that sense, satisfy the needs of the environment and, of course, the needs of the citizens in the community who are affected by that.

The citizens feel--and there is merit in their view--that every possible aspect of the effect on the environment has to be considered. Some of them are concerned that members in their local communities have not been duly informed. Some of them are not great followers of the local paper; they do not all read the newspaper. It is tough to get the message out there to people who are busy working and trying to keep their homes together, et cetera, and who do not spend a lot of time listening to the radio, watching TV or reading papers.

The message is coming out now into the community, and there is a growing concern that things may be moving too quickly. We have five or six delegations here today to express their concern, and I would ask the indulgence of the chair to allow these people to say what they have to say.

Having made those introductory comments, I want to go back one more time to underline the opening comment I made that it is a chicken-and-egg situation. One cannot have the Ministry of the Environment assessing the plant and equipment, the approval of which has not been made. The approval that would come from this bill would allow the corporation to proceed and then, having proceeded with the completion of design, submit the details of that to the Ministry of the Environment.

I would ask Mr. Blackwell and his colleague if I have left anything out. That is my understanding of the situation, Mr. Chairman. I do not know whether I have erred in omitting anything.

Mr. Wildman: May I ask a question just for clarification?

Mr. Chairman: Certainly.

Mr. Wildman: Am I to understand from Mr. Van Horne's comments that what the city and the Victoria Hospital Corporation are asking for is authority to be given by this legislation to design the plant?

Mr. Van Horne: "Construct and operate" is the wording used in the explanatory notes.

Mr. Wildman: I know. That is why I wanted clarification. My understanding of what Mr. Van Horne said was that we are talking about design and yet "construct and operate" is in there.

Mr. Van Horne: That is right. "Design, construct and operate."

Mr. Chairman: Mr. Blackwell, perhaps you can clarify this.

Mr. Blackwell: Thank you. I appreciate the remarks which Mr. Van Horne has made to the committee. Perhaps I can give the committee some background from a little different perspective. There are several points which perhaps should be made and borne in mind.

First of all, the Victoria Hospital Corporation is an entity quite separate and apart from the Corporation of the City of London. It is a private corporation, incorporated under the Corporations Act, and the municipal corporation has no stake in it. In this venture, certainly the city views the Victoria Hospital Corporation as a separate entity.

The second point which the committee should understand is that some months ago the city was approached by Victoria Hospital Corporation and one of the ministries of the province to participate in a feasibility study to determine whether or not, from a technical and an economic standpoint, it would be possible to generate energy through the use of waste. The city participated in that study.

The results of that study have not yet been released. Therefore, we do not know what the substance of the study is. We do not know what the recommendations of that study are in so far as whether it is technically or economically feasible. Certainly the city has not made any commitment toward the project. It is a sort of a wait-and-see type of situation.

The reason we are here today, asking for the legislation that we are asking for, is really to lay the ground work for the day that is ahead when council will be presented with the feasibility study and when the board of directors of the hospital will be presented with it, at which time they will have to decide whether or not they want to take the next step and work toward developing this plant.

Involved in that, of course, will be the aspect of financing: who is going to participate and what the nature of that participation will be. Certainly the city has not committed itself to that extent. The city has not committed itself either in the manner in which it would use the facilities. I do not want to convey the impression to the committee that we are totally negative because we are not, but I want to dispel any misconceptions that might be floating around here today that the city is going to be spending vast sums of money and that the plant is going to be built tomorrow and be in operation the day after, because that is just not the case.

2:20 p.m.

From the city's standpoint, if we were to participate financially in some way, we would want to be satisfied ourselves and be able to satisfy anybody buying our debentures that Victoria Hospital Corporation, or whatever entity is going to operate this thing, does have the legal authority to do it. It is for that reason that on behalf of Victoria Hospital we have incorporated in this year's bill the matters relating directly to Victoria

Hospital. Those are the matters which are basically dealt with in sections 8, 9 and 10 of the bill as printed.

From our standpoint, we do not feel that we have authority under the existing general legislation in effect to borrow money to be used for a facility that is owned by somebody other than the municipal corporation. It is for that reason that we are seeking the provisions of section 11. In seeking the various authorities that we are seeking here today, again, I stress the fact that it is not a decision that we are going to proceed or not proceed, but it sort of creates the envelope of authority which we would have to have if we were to make a decision in the future on this.

There is one other matter that is of concern to the city and it revolves around the environmental aspect. The proposal that the city and the province and the hospital have been looking at basically involves creating facilities at Victoria Hospital where garbage could be burned and where the sludge from sewage disposal plants could be burned. At the present time and for some months back, the city has been encountering difficulties with one of its sewage disposal plants, and it is one which takes upwards of about two thirds of the sewage from the entire city of London.

As a result of the emission problems that the city has been encountering, it has been given a control order under the Environmental Protection Act by the Ministry of the Environment. In effect, the control order says that either the city corrects the problems at its sewage disposal plant by December 31, 1982, or it has its sludge disposed of at the Victoria Hospital facility by June 1, 1983.

Those are very tight time constraints, and from the city's standpoint it means is that there is going to have to be a decision made very early on by city council as to whether it is going to spend \$3 million plus in upgrading the incineration facilities at the pollution control plant, or whether it is going to go the route of Victoria Hospital. From that standpoint, I guess we are keenly sensitive to the environmental aspect of the Victoria Hospital facility.

As things stand at the present time, we do not have an unlimited amount of time available on our side unless, of course, the Ministry of the Environment is prepared to amend its order to extend the times by which we can meet either one of the deadlines. I think the important aspect of it is that the magnitude of funds involved in improving the facilities at the sewage disposal plant would preclude us financially from participating in the Victoria Hospital project or even using it because it would be a duplication of facilities.

So those are the sort of broad brush strokes, Mr. Chairman, of what is involved. I would just briefly point out to you the substance of the various sections without getting into too much of the detail. Then Mr. Dawson, who is the solicitor for Victoria Hospital Corporation, may want to say something from the hospital's standpoint.

Section 7 of the bill as printed, of course, is quite obvious; that is purely interpretation. Section 8 basically does two things. It would empower the hospital beyond the powers that it already has in its articles of incorporation or letters patent to design, construct and operate the plant. Secondly, it would allow it to distribute utilities within the hospital grounds as they now exist to hospital-related uses and, with the consent of the cabinet, to unrelated hospital facilities that might be located on the hospital grounds, such as a bank or some other type of similar commercial use that might locate there.

Mr. McGuigan: Can I ask a question for clarification? Does it cover any private properties at all?

Mr. Blackwell: My information is that the lands described in schedule two, which are referred to in section 8, are totally within the ownership of the Victoria Hospital Corporation and there are no private lands involved.

Mr. McGuigan: I asked that because I see no provisions for compensation for damages and so on. This is not going to happen, I guess.

Mr. Blackwell: I suppose that for want of a better description, schedule two creates sort of an energy land parcel which is totally owned by the hospital corporation, and there are no private lands involved. It is just distribution within its own property limits. But it is a fairly sizeable parcel of land and, as you might envisage, for some time there are likely to be areas of it where it is not used by the hospital and, therefore, it may be advantageous for the hospital to devote it to some commercial uses that are of convenience to patients or staff, such as the bank I mentioned.

Section 9, in effect, gives to the hospital virtually the same powers within the limits of its own property that it would have if it were a public utility operating on the same property. Perhaps that is the simplest way of explaining it.

2:30 p.m.

Physically, the hospital property is intersected by a city street. Really the purposes of subclauses (i) and (ii) are to give the hospital the right to cross the road to locate facilities within the road allowance, but subject to the direction of the municipal corporation as to where those should be located, and to indemnify the city against any loss or damage that is occasioned as a result of the road crossing.

Beyond that, the hospital is empowered to enter into agreements with any person for the supply of utilities in so far as what he will pay for it and so forth; to enter into agreements for the borrowing of money and for the operation, construction and design of the plant; to carry on research in connection with the plant; and to have rights patent for anything that is evolved from the plant.

Basically, section 9 is patterned after an act which was, I think, passed in the last session of the Legislature dealing with the Toronto District Heating Corporation Act. To that extent, it is virtually a parallel of that.

I have already mentioned section 11. That relates to the power or the authority given to the municipality, in effect, to borrow money should it choose to do so, to give to the hospital either by grant or loan on such terms and conditions in aid of the project. The purpose of section 12 is to indicate that, as between the hospital and the city, the undertaking is that of the hospital.

Section 13 really is to allow flexibility in the actual structuring of the ownership of the plant, that is, whether the hospital corporation itself undertakes it or whether it is more feasible from an operational or financing standpoint to establish a separate corporation controlled by the hospital for the purposes of operating the facility.

Basically those are the provisions in part II.

Mr. Wildman: I should like some clarification before we hear from the other witness. Can you tell me if the problems of the city disposal plant are of a latter-day nature or have they been ongoing for some time?

Mr. Blackwell: The city has been aware of the problems. In fact, we applied for and received the approval of the Ontario Municipal Board last year to spend a fairly significant amount of money in replacing the incinerator at the sewage disposal plant. We did not proceed with it, however, because at the same time as we got the approval, we were being invited to participate in this feasibility study.

It was quite obvious that if this study were positive and the Victoria Hospital facility were to go ahead, there would not be any need to repair or replace the facilities at the sewage disposal plant because they would be located in Victoria Hospital. We have withheld doing that, and we felt we were doing it in good faith until we were slapped with this control order. We were somewhat astonished by it, but there it is.

Now we are, as it were, caught betwixt and between because we are prepared to make the improvements at the sewage disposal plant and to satisfy the complaints of the residents in that area of that, but by doing so, we forego any chance of participating with Victoria Hospital on this one.

Mr. Wildman: Has the the control order been filed with the committee since this obviously has a bearing on it?

Mr. Chairman: It has not been filed with the committee, has it?

Mr. Blackwell: I have a copy, Mr. Chairman.

Mr. Wildman: In relation to that, can you tell me does the control order specifically state anything in relation to this proposed project in terms of the deadlines?

Mr. Blackwell: Yes, it does. There are several conditions to the control order. The first condition was that by September 15, 1981, either the city was to have tendered for the construction of appropriately designed order of control equipment at the Greenway Pollution Control Centre or an application was to have been submitted for a certificate of approval and design report for an appropriately designed sludge incineration facility at Victoria Hospital. That was the deadline that was to have been met by September 15, 1981.

Mr. Wildman: So they were giving a choice in the control order.

Mr. Blackwell: They were and they were not. In effect, we were not in the position of making an application for approval for a Victoria Hospital facility because it is not ours, it is Victoria Hospital's. Our initial complaint with the order was that we were being saddled with a condition which we just could not satisfy. However, we have got over that hurdle by the fact that Victoria Hospital filed plans which have been accepted by the Ministry of the Environment. So, to all intents and purposes, the first condition has been satisfied, but not by us, by Victoria Hospital.

But the order goes on, and there is another condition, that is, that by December 31, 1982, the city is to have eliminated odorous emissions from the Greenway Pollution Control Centre incinerator stack. The required action will constitute the alteration of the existing multi-hearth sludge incinerators serving the Greenway Pollution Control Centre by installing appropriate odour control equipment. In the alternative, if the Victoria Hospital incineration facility is to be constructed to replace the sludge incinerators at the Greenway Pollution Control Centre, the necessary facilities must be in continuous operation by June 1, 1983.

Again, what we are faced with is a two-pronged condition. Either by December 31, 1982, we, the city, are to have fixed up our sewage control plant, or by June 1, 1983, Victoria Hospital has to be in operation and, in effect, we have to be taking our sludge from the pollution control plant over to Victoria Hospital. The timing on both aspects is very tight.

Mr. Wildman: Mr. Chairman, do we have a representative of the Ministry of the Environment here?

Mr. Chairman: No, we have not. We were trying to make contact with the Ministry of the Environment. Mr. Dawson, did you receive a letter from the Ministry of the Environment?

Mr. Dawson: A letter was received not too long ago from the Ministry of the Environment on the question of whether the Environmental Assessment Act applied. Is that the letter you are referring to?

Mr. Chairman: Yes.

Mr. Dawson: I think I have it here.

Mr. Wildman: That is one aspect about which I should like to question the Ministry of the Environment, but I should also like to get some clarification about the other matter, which is the control order, which has been submitted to the committee as one of the reasons, besides the conservation aspect, for being interested in getting involved in this facility.

Mr. Chairman: We can perhaps try to get somebody from the legal department of the Ministry of the Environment here.

Mr. Dawson, do you have anything to add to the presentation at this time?

2:40 p.m.

Mr. Dawson: Thank you, Mr. Chairman. I do not have a great deal to add to what Mr. Blackwell has said at this juncture, but I do feel that stress should be made on the structure of the wording of section 8 which is to "design, construct and operate a plant and related works for the generation and distribution of utilities." It is simply a very general empowering clause, and it is there for one reason and for one reason only. We would not be here asking for the power unless we wanted to have the power to distribute the utility.

Going back a step, Victoria Hospital is in the process of moving the hospital facilities from the location on South Street where they have been for the last 125 years to this new location, which was originally Westminster Campus run by the federal government for veterans and which comprises somewhere in the region of 325 acres. It is a very large tract of land. On the west side, there is a major thoroughfare and it is bisected by another thoroughfare.

Because of the size and because the proposal for the relocation of the hospital is a proposal for a comprehensive health care centre, not only for active treatment beds but also for chronic, domiciliary, ambulatory and other related health care institutions, Red Cross, Crippled Children's Treatment Centre, Canadian Cancer Society branch, and so on, the power to distribute utilities within that area will be exercised probably--it is too far ahead to be able to envision the precise nature of the development as it will evolve--over public streets within this area.

The legislation, as it presently stands in the province, does not permit a body, agency or otherwise, such as Victoria Hospital, to distribute power over public streets. Certainly there might be some question as to whether it has the power to distribute and sell by agreement utilities to a related health care agency such as, for example, the Parkwood Hospital which is a chronic care hospital.

The other point that I think has to be made is that this legislation, because of what I have said, is needed by the hospital whether the plant is a conventional, fossil-fuelled plant or whether it is fuelled by some other medium that is nonfossil. The power to distribute is required, notwithstanding that the plant may be fired by natural gas, for the reasons I have outlined.

I do not think I need to take up the committee's time at this juncture any further.

Mr. Chairman: Thank you very much.

Ms. Bryden: Were you going to read us the letter from the Ministry of the Environment?

Mr. Dawson: I was looking for it, but I have not found it yet. I thought I had it with me.

Mr. Chairman: I wonder if there are any questions for the two solicitors who are here at this point in time.

Ms. Bryden: I really would like to know what the Ministry of the Environment had said about whether the Environmental Assessment Act applied.

Mr. Dawson: I can summarize it for the member. The Environmental Assessment Act is made to apply under section 3 to any activity or undertaking by Her Majesty the Queen in the right of Ontario or any activity by a municipality or by a public body, section 3(a). A public body is defined as being a public body designated as such by the Minister of the Environment. Section 3(b) applies to any other undertaking which is designated as such, that is to say, designated by the minister to be subject to the provisions of the act.

This letter from the Minister of the Environment, in effect, states, as is the case, that Victoria Hospital, as a public hospital under the Public Hospitals Act, is not subject to the provisions of the Environmental Assessment Act, not being either a municipality or a public body for an undertaking which is designated by regulation.

Ms. Bryden: Is it not correct that it could be designated as subject to the act, either as a public body, and presumably the minister decides what is a public body, or as anything else than a public body? It could be designated under either 3(a) or 3(b) as subject to the Environmental Assessment Act.

Mr. Dawson: That is correct.

Ms. Bryden: So the situation is that it could certainly be brought under the Environmental Assessment Act by action of the Ministry of the Environment.

Mr. Dawson: That is correct. Since the point is raised now, I might deal with it with your permission, Mr. Chairman.

Mr. Chairman: Perhaps it might help clarify it, if the solicitor for the Ministry of Energy had a copy of the act.

Ms. Rounding: What Ms. Bryden has alluded to is correct. Under section 41 of the Environmental Assessment Act, the Lieutenant Governor in Council, rather than the minister himself, may make regulations. One of those regulations is to define any enterprise or activity as a major commercial or business enterprise or activity and then designate any major commercial or business enterprise or activity or class of major commercial or business enterprises or activities as an undertaking or class of undertaking to which this act applies. Once it has been designated, then section 3 of the act comes into play.

Ms. Bryden: So it would be possible for the Lieutenant Governor in Council to designate the Victoria Hospital Corporation as subject to the act?

Ms. Rounding: That is correct.

Mr. Van Horne: I would like to submit that my understanding is that that would only be done if the minister felt that the concerns of the environment were not being met through the Environmental Protection Act. I do not know to whom I should direct that question.

Ms. Rounding: I think there are separate concerns under the Environmental Assessment Act and the Environmental Protection Act. I think since the inception of this act there have only been three commercial enterprises that have been designated by the cabinet. I do think it is something they should consider very seriously before they make such a designation.

Ms. Bryden: What are the three?

Ms. Rounding: I could not tell you those offhand, I am sorry. It may be that the Environmental Protection Act provisions are not sufficient, but there could be other issues as well that would give it sufficient significance that the cabinet would want to bring it under the Environmental Assessment Act.

Mr. Van Horne: Mr. Chairman, would it be wise for us, because there is this small uncertainty, to proceed with some of the people who want to speak?

Mr. Chairman: Right. I was going to ask if any of the delegation would like to ask questions of either the committee or other representatives who are in front of us at the present time.

Ms. Bryden: Mr. Chairman, we were also going to give the delegations an opportunity to make their own presentation after the cross-examination.

2:50 p.m.

Mr. Wildman: I do not know whether we want to get into cross-examination, but perhaps it would be useful if the other delegations could make their presentations. Then, if necessary, the solicitor is going to get an opportunity to respond if he wants.

Mr. Van Horne: Could we have the solicitor sit here?

Mr. Chairman: The delegates can come up here. I think we should have one delegation at a time. We have Mr. John Swaigen, solicitor for the Ministry of the Environment, coming here at his earliest opportunity. If you two gentlemen would like to sit along the side, you will have a better view of it.

Mr. Van Horne: I understand that Mr. Paul Senay has been waiting patiently and has another commitment.

Ms. Bryden: Mr. Chairman, I do not think we should rule out the possibility of the other deputants asking questions of the two solicitors, perhaps before they start if they wish.

Mr. Chairman: If they wish to ask questions for clarification, it might shorten their presentations, or answer something in their presentations. What is his name, Mr. Van Horne?

Mr. Van Horne: Paul Senay. He has two gentlemen with him, George Robinson and Larry Semeniuk.

Mr. Senay: Thank you, Mr. Chairman. I would like to preface my remarks. I was quite surprised to hear from Mr. Blackwell that the design of the plant had not been completed as yet. The first design that we had seen as members of the bargaining unit which represents the employees is that there was a design made and it was the intention--

Mr. Wildman: Excuse me. I do not want to interrupt, but on a point of order, could we have their names and who they represent?

Mr. Senay: I am the CUPE representative.

Mr. Chairman: You can proceed.

Mr. Senay: The information we had on the preliminary design that had gone forward was that the city and Victoria Hospital had planned to burn the garbage and the sludge at the same time in the same incinerator. We had come to Toronto and visited the four incinerators that they have in Toronto. It is our understanding that unless the moisture is removed from the sludge, you are going to end up with one great big expense bill. But that is beside the point.

We understand that this bill is going to give the hospital the go-ahead to be able to design the thing. So I would like to go to my brief now, if I may, Mr. Chairman. Our basic concern as taxpayers in the city of London is that this bill gives the council of the city of London the right to issue debentures, without the approval of electors, for the providing of aid for the design, construction and operation of the plant and related works and conditions as counsel considers expedient. Considering that the taxpayers are paying the bill, is it not right they should have a voice in saying how their dollars will be spent?

This bill authorizes the hospital to enter into an agreement, if it deems it necessary, with any other person for the supply of utilities and fixing charges, thereby cutting out the rights of the public utilities commission on this matter, and the power to carry on investigation, experiments, research and developments, the right to require patents or licences and the right to dispose of them. If the hospital will be using tax dollars for the incinerator, and municipal waste is a prime material, then the taxpayers have a right to any passage of moneys to be derived from this project.

Part II, section 10, requires some definition or clarification. If the bill says the Public Utilities Act does not apply to the hospital, then the hospital will have no right to distribute utilities to anyone other than its own buildings. I notice in the act it says a home for the aged. There is no home for the aged on the Westminster Campus property.

If the hospital will be the owner, operator and manager of the plant, why are the taxpayers of the city of London going to be called upon to put out millions of dollars when they will have no control over this project except to furnish garbage and money? This bill seems an underhanded way of the council of the city of London to include the incinerator at Victoria Hospital into this bill.

As we see the bill, it was primarily put forward to update and upgrade the City of London Act which was passed and amended over several years, dealing basically with sewers and road allowances. Including the incinerator is a disservice to the taxpayers. To make anyone who is opposed to this item have to travel to Toronto to voice his objections creates a hardship on those taxpayers who could have this rammed down their throats because they were unable to appear before the committee to voice their concerns.

As a bargaining agent, we are concerned because we have not been involved in any dialogue about how this will affect our members as to work and other matters. We feel we could add some very constructive ideas this, and not have the whole matter rammed through without any input. It is for the foregoing reasons we would ask that the section pertaining to the incinerator be deleted and returned to the city of London for full and proper hearings before the public so we could have some solid input into the whole matter. This is respectfully submitted.

Mr. Chairman: Any questions of the delegation?

Mr. Runciman: Mr. Senay, you say the bill seems an underhanded way for the council to include the incinerator. When was this initially brought before the council of London?

Mr. Senay: The incinerator?

Mr. Runciman: Yes.

Mr. Senay: We have no idea. The first I heard of it was when I read in the London Free Press that Mr. Van Horne was going to present it as a private member's bill.

Mr. Runciman: To your knowledge, this was not discussed at an open council meeting and there was no public knowledge of the matter being discussed or debated?

Mr. Senay: To my knowledge, I was never advised of it and I have never heard of it.

Mr. Van Horne: The question I would have for Paul was that there was a public information meeting held on September 9. I made reference to the throne speech which touched on the general theme of using waste as a source of energy. That was in 1980. Were you or your membership not aware of any of these earlier happenings?

Mr. Senay: To the best of my knowledge, the first we heard about the incinerator going into Victoria Hospital was through our bargaining unit that we have at city hall. As regards any public meetings or anything like that, I must plead ignorance. I did not hear of it; it was not brought to my attention.

Mr. Van Horne: Just to elaborate on that, there was a meeting--at least, I had been informed of it; I was not there personally--on September 9 at which 128 citizens were recorded as having attended and having been apprised of the plans up to that point. Also, there was representation there from the Ministry of the Environment along with city and hospital representation.

Mr. Chairman: It was an advertised public meeting. Is that right, Mr. Blackwell?

Mr. Dawson: There were three of them. This was the third.

Mr. Wildman: I was going to ask about that. You say this was the third meeting. When were the other two meetings held?

Mr. Dawson: During the course of the summer.

Mr. Wildman: My reason for asking that was that the public meeting was on September 9, when the suggestion in the control order was September 15, which seemed a little late to me.

Mr. McGuigan: I can see Mr. Senay's point about having public meetings. But it would seem to me that if there were public meetings at this time, they would mostly centre on the question of whether or not it is a safe way of dealing with the wastes, rather than centring on whether the undertaking should go on. I do not know how you would separate those people who are generally opposed to having a waste plant, and that's everybody. They would come forward with their objections.

Don't you think that those things will be covered during the environmental hearings, which would be the point where you will have your public hearings? That will pretty well answer your concerns. I have been involved in one of these all summer long. My riding includes Harwich township, if you have ever heard of that place before.

Mr. Senay: Yes, sir.

Mr. McGuigan: I happen to live in Harwich township not very far from the dump.

Mr. Wildman: Landfill site, isn't it?

Mr. McGuigan: Dump--special emphasis on dump.

Ms. Bryden: Mr. Senay, you say you would like full and proper hearings, but you do not spell out whether you mean hearings under the Environmental Assessment Act--there seems to be some doubt whether the Victoria Hospital would be under that act--or whether you mean the city of London hearings. If it was their project, they would be automatically under the Environmental Assessment Act, but when it is a Victoria Hospital Corporation project, there is some doubt. Are you calling for the extension of the Environmental Assessment Act to Victoria Hospital Corporation?

3 p.m.

Mr. Senay: What we would like to see would be any kind of hearing that could air the thing completely. Our basic concern is about what is going to happen as far as our employees are concerned. Is this thing going to be hauled out there? Is the sludge going to be burned out there? Are they going to remain out at Greenway? What is going to be the environmental concern for the area? The people living in the area are concerned about everything in every aspect. We would like to see the Ministry of the Environment or the city of London hold a hearing. We would like to have the whole thing aired completely, both from the employees' concern and that of the taxpayers and residents living in the area.

Ms. Bryden: I can understand that your group, particularly, would like to have a say in things that may affect their livelihood as well as their environment and their community. I do not know whether you are aware that there is quite a difference between hearings under the Environmental Protection Act and hearings under the Environmental Assessment Act.

The second is much broader and does give more opportunity for questioning the concepts behind the project, the ecological effects and so on. The Environmental Protection Act is more geared to a particular proposal and whether it will have any deleterious effects on the water supply or the land, and that sort of thing. It depends on how broad you want the inquiry to be as to which act is preferable.

Mr. Senay: We were quite surprised to hear from Mr. Blackwell that the plant design has not been finalized yet. The study has been done.

Mr. Blackwell: Mr. Chairman, perhaps I should clarify that. What I believe I said to the committee was that the feasibility study, from a technical and economic standpoint so far as the city is concerned, has not been presented to the city. The city has not seen it. It may well be, and I believe this is the case, that there has been some preliminary design by Victoria Hospital itself, which it has submitted to the Ministry of the Environment.

But that, so far as we are concerned, is separate and apart from the feasibility study. Until we see the feasibility study, we have nothing to react to as to whether or not the city is even going to participate. That is going to tell us whether it is feasible or not. It does not matter of how much you design. Until you know whether it is feasible or not, you cannot make an intelligent decision on whether to participate. That was my point.

Mr. McGuigan: I do not quarrel seriously with Ms. Bryden's remarks because I have not attended an environmental assessment under the Environmental Assessment Act, but I have attended one this summer under the Environmental Protection Act. I did not spend all my time there, but I attended a number of meetings.

It seemed to me that the broadness that Ms. Bryden speaks of is more of a matter of alternatives that are looked at under the Environmental Assessment Act. They look at several alternatives rather than a specific undertaking. But I can say that under this hearing of which I heard parts this summer, I did not hear any part of it which was rejected by the commission or the board, saying, "Our mandate does not allow us to look at this." They looked at everything that had been brought before them.

I do not see that much difference between the hearings, apart from the fact that the one does cover alternatives. Of course, if I had my choice, I would choose one under the Environmental Assessment Act. I think anyone would.

Mr. Wildman: I see counsel for the Ministry of the Environment has arrived. Perhaps he can explain the difference between the two acts to us in laymen's terms as much as possible.

Mr. Swaigen: Do you mean the difference between the Environmental Protection Act and the Environmental Assessment Act?

Mr. Wildman: Yes.

Mr. McGuigan: The type of hearings.

Ms. Bryden: The coverage of the hearings, the subjects that may be covered.

Mr. Van Horne: You are familiar with what we are discussing right now?

Mr. Swaigen: The Victoria Hospital proposal, yes. The main difference between the two acts is the definition of environment. Under the Environmental Protection Act, the board would be limited, essentially, to the natural environment; whereas, under the Environmental Assessment Act, the board can take into account the environment as defined in that act, which includes social, cultural and economic matters. That is the major difference. There are differences in procedures under the two acts as well.

For example, under the Environmental Protection Act, a panel of the board hears the matter and then the full board can make a final decision on the basis of the recommendations of that panel; whereas, under the Environmental Assessment Act, the panel that holds the hearing would be the panel which makes the decision. There are a number of procedural differences.

Mr. Wildman: In terms of your description, questions regarding the movement of employees and the effects it may have on them would not be covered by the Environmental Protection Act, which is what the CUPE local would be most concerned with, as well as the natural environment. But that could be taken into account under hearings under the Environmental Assessment Act.

Mr. Swaigen: It would be clearer--you would be able to make a stronger argument that it would be taken into account under the Environmental Assessment Act. Perhaps it might enter in under the question of need, for example, which is a question that can be taken into account under the Environmental Protection Act, but I would say that the Environmental Assessment Act more clearly covers that sort of question.

Ms. Bryden: The Environmental Assessment Act also provides the possibility of putting forward alternatives to the specific project that is under consideration. Is that right?

Mr. Swaigen: That is right. It is much less clear that alternatives are a matter within the board's jurisdiction under the Environmental Protection Act, but they clearly are under the Environmental Assessment Act.

Mr. Chairman: If there are no other questions for this delegation, we can hear from the next one perhaps.

Mr. Senay: May I ask one question of Mr. Blackwell? Why is the corporation of the city of London asking that this be included in the act if the feasibility study has not been completed and council does not know whether it wants to go ahead with the project or not?

Mr. Blackwell: The answer to that, Mr. Chairman, is that there are a number of matters we could see being done at the same time, rather than consecutively. This is just one of those things where the opportunity was there to bring forward this proposed legislation and present it. It is framed in very general language because we do not know really what the end plant is going to look like and what the exact facilities are going to be. But we felt that given the time it takes--it takes about eight months to get private legislation--if we can do that at the same time we are doing something else it would save time.

Mr. Chairman: You do not have to proceed because you have had the legislation in place.

Mr. Blackwell: That is right. You are tacking on eight months really after something else is done if we were to wait.

Mr. Van Horne: I just want to dispell any question in Mr. Senay's mind about feasibility, and I think it bears repeating. There was a public information meeting on September 9 and a part of the presentation at that meeting, as I understand it, was the summary of the report done by ECE Consulting Engineers.

Mr. Dawson: That is right. Yes.

Mr. Van Horne: That, in a sense, was a feasibility study. I am not sure if it is properly called feasibility, but they certainly prepared some form of report which indicated that this was a viable way to go.

Mr. Dawson: That is right. Yes.

Mr. Chairman: Were the informational meetings conducted by the hospital board or by the corporation?

Mr. Dawson: They were conducted at the instance of the hospital board and with the assistance of the Ministry of Energy on the last one. I do not say the first two.

3:10 p.m.

Mr. Blackwell: Mr. Chairman, I just wonder if I might make one comment with regard to the approval by council. I would like the record at least to note that city council in open session on April 6, 1981, approved the draft bill so it was there for the public to see.

Mr. Van Horne: I am not sure who is in a rush next. Is it going back to Mr. Wyllie?

Interjection: I think we are all in a rush.

Mr. Chairman: Will the one who is fastest please come forward and introduce himself?

Mr. Scherer: We have a delegation of six members and we have quite an extensive preparation if, with your indulgence, you will bear with us. We do have some material to submit to both the chairman and the committee members, if the members of the delegation could come forward and be seated.

Mr. Wildman: On a point of order, Mr. Chairman, would it be useful--and perhaps the delegation could respond to this as well as the other solicitors--if the legal counsel for the Ministry of Environment were to give the clarification at this point regarding the control order which is basically why I asked for him to come, or would that be better to wait until after you have made your presentation as far as you are concerned?

Mr. Chairman: Are you going to address that particular point?

Mr. Scherer: That is going to be a part of our submissions, but it might help to clarify things at this point, yes.

Mr. Van Horne: Would you mind identifying yourself for the chairman, and the people that are with you?

Mr. Scherer: My name is John Scherer. I am a resident of Glen Cairn. I live approximately within a mile or so of the proposed plant site or facility site. I am here in representation of Mr. Robert McLeod, who is the chairman of the Glen Cairn Residents' Association. With me here are Mr. Mahon, Mr. Wyllie, Mr. Maudsley, Mr. Soltys and Mr. Gibson. These gentlemen are here in their capacities as representatives of ratepayers' groups and residents' associations. They are going to address areas of background information, the concerns of citizens and ratepayers, conservation and ecological concerns and scientific concerns as well. Now if that will suffice for an introduction, perhaps we could have the clarification.

Mr. Chairman: Do you want to bring us up to date on the control order, please?

Mr. Swaigen: Yes. The control order was issued in June 1981. It does not become effective until after any appeals are dealt with. The city of London appealed the control order to the Environmental Appeal Board and the Environmental Appeal Board was to hold a hearing last week, but before the board had given notice to the parties of a date for the hearing, the city of London withdrew its appeal; whereupon the control order came into effect. Shortly before the city withdrew its appeal, the hospital corporation put in an application for the facility at the hospital to burn waste, presumably including the city's waste.

The ministry's control order required the city either to put in an application for construction of this facility by September 15, 1981, or to put in an application for construction of abatement equipment at the Greenway sewage treatment plant. Some time after September 15, but before the date when the city withdrew its appeal, the hospital put in this application.

The ministry reviewed the application and accepted it as a bona fide application and considered that to be substantial compliance with that condition of the approval. The next main date would be December 1982, whereupon the city has to eliminate its emissions either by using this new facility or by having abatement equipment installed and operational at Greenway.

Mr. Runciman: What was the date again?

Mr. Swaigen: December 31, 1982. In the interim, there are provisions in the certificate to require that if the city negligently causes any odours at the plant, it is still subject to potential prosecution for those odours. I say negligently because the law made by the Supreme Court of Canada has changed the Environmental Protection Act, in effect, to state that if emissions are not as a result of negligence, the ministry cannot succeed in the prosecution in any event. I would be happy to answer any specific questions about the order.

Mr. Wildman: Could you tell us what the reason was for the issuance of the control order because I may have misinterpreted counsel for the city. He seemed to express some surprise that the order was positioned when it was.

Mr. Swaigen: Probably the best people to answer that question would be the regional staff in London. As I was representing them in this matter, I have a fair amount of knowledge of it. My understanding is that the ministry was concerned that there was no definite commitment at any particular date to an abatement of this problem.

I know that certainly some ministry staff hoped and the city and the hospital hoped, and had reason to believe, that the Victoria Hospital facility would be built and that would take care of the problem. But since there is no certainty at this point about that facility, the ministry staff did not feel it would be right to leave the matter hanging open indefinitely, and that the city should be required to take one step or the other by a certain date so that the matter of odours could not go on indefinitely without some resolution.

Mr. Wildman: Can you also explain why you would issue an order which gave a choice to the city and one of those choices involved another corporation over which the city did not have control?

Mr. Swaigen: The reason for that again would appear to be that there seems to be some merit to the Victoria Hospital proposal and that it could appear rather arbitrary to simply order the city to spend--I have heard different estimates--somewhere between \$10 million and \$12 million on a facility at Greenway, which could perhaps make the hospital facility not viable financially. On the other hand, if the hospital facility did go ahead, it could render the expenditure on pollution abatement equipment at Greenway redundant.

With that great an expenditure in the balance, which we were led to understand could be appropriated either to Greenway or to this facility, it seemed reasonable to give the city both options, to leave both options open, but not forever, for a reasonable length of time provided that we continue to see progress towards a decision on one or the other of those options.

Mr. Wildman: Also, we had some description from counsel from the city of the tight time frame they now face in their view as a result of the control order. Can you give us some idea of how long this problem they are referring to has been of concern to the Ministry of Environment and finally led to the issuing of the control order?

3:20 p.m.

Mr. Swaigen: Several years.

Mr. Wildman: It was the feeling of the ministry that there was not adequate progress being made by the city to rectify it, and that led to the issuance of the control order?

Mr. Swaigen: I do not know if I would go that far. The ministry's concern was that there be some certainty about the matter because, on the one hand, the progress might be adequate and might be very rapid, but on the other hand, things might break down and matters might change. The ministry felt that it should place some time limits on it.

Mr. Wildman: I do not know whether you can answer this. Can you tell us how long the proposed incinerator at the hospital site has been discussed? Has it been several years as well, or is it very recent? In terms of the ministry, you have given them an option. Is this something you felt had to be given a deadline as well, or is it just that you wanted to give them an option?

Mr. Van Horne: If I could interject, Mr. Chairman, I think reference was made by Mr. Dawson to the unique aspect of the site and the agreement of all three levels of government to make the new Victoria or "Vicminster" or the combined hospitals at the site. The concept has been talked about for a couple of decades, that is, to relocate the old city hospital on the veterans' hospital land site, that big 325-acre tract of land. But the reality of this was not realized until all three levels of government came to an agreement on the sharing of the facility four or five years ago, or maybe less time than that. I cannot recall the exact date, but that was just background that Mr. Wildman made when Mr. Dawson was speaking.

Mr. Wildman: I wonder if he gave us the number of years.

Mr. Dawson: The 325-acre site was transferred from the federal government to the Victoria Hospital Corporation through the province. This has taken place over the past three or four or maybe five years.

Mr. Wildman: But my question specifically was about the proposal for the energy from waste. Was that of the same order of time, or is that more recent?

Mr. Dawson: Not really. I see that I opened a file in February 1980, so it goes back that far.

Mr. Wildman: The order was issued in June, was it?

Mr. Swaigen: That is right, June 1981.

Mr. Wildman: Fine. Thank you.

Mr. Chairman: Perhaps the delegation can now proceed.  
Mr. Scherer:

Mr. Scherer: May I ask several questions prior to proceeding with our statements? We have heard many comments from aldermen, representatives of the city, that there might well be a need for environmental assessment under the Environmental Assessment Act; that this constraint is simply too much to bear, but is of a very fixed nature and is not amenable to changes or postponements or any sorts of considerations.

Is that the case, or if this project is considered and is found to merit a comprehensive assessment, would there by a possibility for a postponement, or some flexibility or leniency in regard to that control order date? Or would the city, as some people have said, simply be subject to a fine on a daily basis?

Mr. Swaigen: If the ministry saw a great deal of progress being made, and yet it was impossible to comply with the terms of the control order with those dates, I cannot rule out the possibility that the ministry might then consider amending the control order to extend the time. However, it is ministry policy that before any control order is amended, there will be a public hearing and the community will have an opportunity to make submissions on that proposed amendment.

Mr. Wildman: But you have amended control orders in the past.

Mr. Swaigen: Yes. The ministry has extended control orders in the past.

Mr. Chairman: Mr. Scherer, are you prepared to proceed?

Mr. Scherer: If I may ask a further question. I hate to sound as though I am--

Mr. Chairman: You may as well be clear before you start.

Mr. Scherer: In the close of Mr. Blackwell's comments, when he was proceeding through the particular sections of part II of the bill, I do not believe he addressed section 10. If I am mistaken, perhaps he could just give me a brief summary.

Mr. Blackwell: I will have an attempt at it, although Mr. Dawson perhaps can answer it better than I can. Section 10 really is to relieve the hospital of provisions under some of the general acts which to my view would be inconsistent with the remainder of this private legislation if it were granted, particularly, for example, the Municipal Franchises Act and certain aspects of the Public Utilities Act. There are certain provisions here with respect to the provision of utilities by the hospital within its grounds, or across the road, which might offend particular sections of the Municipal Franchises Act or the Public Utilities Act if those provisions were not specifically dispensed with through section 10.

Mr. Chairman: Is that clear?

Mr. Scherer: I would like to make one introductory comment first. Mr. Van Horne has referred to this problem as one of the chicken and the egg. If this bill in its present form continues and goes into second reading, it would seem the city of London is like the chicken and it may well lay an egg of unknown proportions on those residents. I hate to make a bad analogy, but it seems appropriate.

Mr. Blackwell said as well that no feasibility studies have been presented to council, and yet he indicated that there was approval by the ministry of a design. I have feasibility studies that I can make available to the chairman. Whether they were addressed to council or not, I am not entirely sure. But these are aspects we have concerns about. There are many things at issue here and it is not something that really can be summarily dismissed.

We feel the entire energy from waste proposal is not an uncomplicated matter, and yet the significance of it and many doubtful areas and unresolved questions surrounding it seem to have been downplayed in an attempt to get the project rolling. It would not really be fair, however, to all the parties involved, either indirectly or directly, to leave these issues unresolved solely for the sake of expedience. Many concerned citizens at this point do feel that a comprehensive assessment under the Environmental Assessment Act is really imperative and we believe serious consideration should be given this view.

The whole of part II of this proposed bill concerns itself with municipal authorization for the issuance of debentures on what we believe to be insufficient notice, first, to advance proper materials and briefs to you, the members of the committee, in order to implement an understanding on your part of all the issues involved; secondly, to enable all the interested parties to make arrangements to attend this meeting; and, thirdly, to allow us an adequate preparation for a meaningful presentation. Our request at this point is for your consideration of our concerns on part II of this bill.

My colleagues and I will speak to specific points of the bill and voice our concerns and those of the residents we represent. It is our hope that this committee would reserve its judgement on the question of part II of the bill, whether that be by virtue of adjournment or tabling, in order that we might submit further materials for the committee's consideration and have the opportunity to consider and apply to any questions you might put to us that we might not be able to answer properly today.

3:30 p.m.

In the materials we have submitted to you there is an introductory page that roughly outlines the format the individuals concerned will be taking and what they will be addressing. I just have a few more introductory remarks and then we will continue with the rest of the people around the table here. I presume we can address points of the bill after our presentation and other delegations are finished with their presentations, or shall we address them now?

Mr. Chairman: I would rather you would address them as we go along. I think it would be more expeditious.

Mr. Dawson: I wonder if I might have a copy of the submissions.

Mr. Scherer: Yes. There is another copy here. These submissions contain some letters that we have received. There are some letters received in the last few days that we have not had a chance to duplicate and which we will be reading into the record, if that is acceptable. Some were received last night, some early this morning. We would like to read those into the record, if that is possible, so that there might be a full disclosure from people who wanted to be here but were not able to.

Mr. Chairman: Read the names in and the substance of the letters. I think that would be acceptable.

Mr. Scherer: The Victoria Hospital energy from waste proposal to supply the hospital's power needs through the incineration of garbage, which I guess will result in energy, and sewage sludge is a very progressive idea and is both practical and commendable in its direction. This proposal addresses present and future concerns, for Londoners in particular, but also all Ontarians and Canadians if these concerns of waste disposal and diminishing landfill availability, the conservation of energy and the production of energy from viable alternatives are really under consideration.

Mr. Chairman: Excuse me, let me interrupt just for a moment. Can you tell us where you are? Are you reading from some material?

Mr. Scherer: No, I am not reading from anything in the parcel that we gave you because of the time constraints. We were made aware of this meeting very, very late last week. The parcel that we handed to you, we really cannot refer to in any great depth. There is no indexing, nothing of that nature. I simply introduced it to you in terms of the front page for a sort of reference.

Mr. Chairman: So we will listen, not follow.

Mr. Scherer: We would like you to consider this not only for today, but on some contingency basis, because we feel that there are many things that need to be assessed and addressed.

From its inception, this proposal has generated much interest. The municipality, as well as the Ministries of Energy, Environment and Health, have participated in the feasibility studies. The proposal continues to attract support as the recipient, we have been told, of pending grants from all levels, from municipal, provincial and federal levels. Of considerable importance are much sought after loan guarantees to assure funding for the completion of the project. The whole of part II of this proposed bill concerns itself with this sort of authorization, with the approval of the Ontario Municipal Board and without the approval of the electors, to issue debentures to provide aid.

Arguably, the infusion of ideas and funding from these levels and the significance of the operational success and evaluation of this project lead to the conclusion that the project is much more than simply a private corporate undertaking; that it is of considerable public concern and importance with many sources of municipal input and should, under the authority of the Environmental Assessment Act, be regulated as fully assessable.

The view held by proponents of the energy from waste proposal that this project should really only be subject to the Environmental Protection Act must be carefully considered, for it really seems to overlook the real significance of the proposal. Indeed, this project has been described to us in public informational meetings so formally and so perfectly that it is very surprising Victoria Hospital would not have in good faith submitted this project voluntarily to the Environmental Assessment Act.

After all, they have indicated to the residents that they have covered all the bases, they have assessed all the technology, and they have looked at all the grounds. As a pilot project, it would seem this proposal may very well be a prototype, a forerunner of many such facilities throughout the province and the rest of Canada for that matter.

The spirit of the Environmental Assessment Act, in section 2, seems to indicate it as "the betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment." With a project like this, what better way to implement this legislation?

The technical nature of this project calls for very, very stringent controls, safety measures and everchanging and improved technologies. Certainly the considerations of efficiency and expedience do have an impact on the feasibility of the project itself, but the facility itself impacts on the community as a whole in which it is situated and will continue to do so for many years to come. In this light, nothing short of full assessment under the Environmental Assessment Act is called for by many residents of the area.

If I may, I will just indicate to you that I have a letter from Mr. Robert McLeod, the chairman of the Glen Cairn Residents Association. In brief, he speaks to the issue that this is an issue of considerable concern, that in press releases Mr. Van Horne had indicated that residents of the area would be given their day in court.

I would ask the members of this committee if you would please simply give your attention to the bill and to the day in court so well stated by the Ron Van Horne, and it can only be completely provided if the residents feel that all concerns have been honestly evaluated before financial assistance is provided. I will submit that to the chairman. I believe Mr. Mahon has some comments.

Mr. Mahon: Mr. Chairman and committee members, I am Jim Mahon and I am addressing you on behalf of myself and the Westminster Park Community Association, of which I am a member of the action committee.

The citizens of our area and the surrounding areas know the problems that can be encountered with landfill. As such, they would be more than happy to see this project go through were it to

prove viable, were it to operate cleanly and efficiently. Standing on the proposed site and looking around at the houses sitting on the hill in the surrounding areas, you can see methane vent stacks, problems from a previous landfill site.

As I say, we would like to see this project going. However, we are concerned. The city has told us that 300 tons of garbage a day would be burned in these incinerators with a capacity of 600 tons, and that 165 tons of sewage sludge would be burned as well. Some of the people who have already spoken have dealt with the Greenway problem.

This particular incinerator was built in 1962. In a London Free Press article dated June 15, 1979, our city sanitation engineer, George Robinson, stated that at the time it was built there were virtually no odour controls built into the system at all. In a later article on May 14 of this year, our city engineer, D'Arcy Dutton, told about 60 people that the incinerator at Greenway was going to be shut down partially during the summer months to resolve odour problems which had been plaguing the area since 1968.

I could mention the control order dates and so on, but that has already been dealt with. I could mention, however, a later Free Press article in which Mr. D'Arcy Dutton stated to the press that "we are working towards a very finite deadline and that the ministry would not actually let the control order until a contract had been awarded for the Victoria project." Dutton went on to state that the Ministry of the Environment could impose fines of thousands of dollars each day, each time it found evidence of pollution.

When a coalition asked our two aldermen from our area if they could support an environmental assessment under the Environmental Assessment Act, they said they would be willing to do this if the problem at Greenway could be resolved through the time factor, but they assured us to support it without this condition could cost the city very heavy fines.

I have given you each a copy of a letter I personally received from London's mayor, Al Gleeson. In it, towards the end of the letter, he stressed to me not only the cost factor of the project but also the time factor involved in proceeding under the Environmental Assessment Act.

3:40 p.m.

In conclusion, we feel that because of the nature of this system, which we have been told time and time again is a prototype system which employs new technology for North America, we feel that in order to safeguard the 20,000 area residents and to deal properly with the social, economic and cultural conditions influencing the lives of the area residents, this must be brought under the Environmental Assessment Act. We fail to see how this can be done properly by this municipality under the Planning Act. Clearly not only the cost to the city but the cost to the area residents must be considered.

In an October 14 article in the London Free Press we were told that this was our chance to tell the Ontario government exactly what we, the residents, thought of this project. Mr. Van Horne stated at that time that this was our day in court and at that time he stated that this committee hearing would be held before mid-December. Nine days later in the London Free Press, we were told it would be held five days hence, this Wednesday.

With more notice, more time, we would have been able to bring forth more people and more arguments would have been heard. All the people want is a proper chance for all arguments on all sides to be heard. We do not want this to be rushed into. I urge you to make an amendment to part II, section 8(a), to recommend that environmental assessment be done under the Environmental Assessment Act before this project is allowed to be constructed. I thank you.

Mr. Wildman: Can I ask a couple of questions? Mr. Mahon, you mentioned vents for methane gas. Could you clarify that?

Mr. Mahon: There are problems from previous landfill sites in the area surrounding the proposed incineration site. As such, some of the people have considerable aggravation when garbage is mentioned to them. I agree this may not be particularly relevant to the incinerator; however, it is relevant to the people's feelings.

There were one or two houses on Eagle Court Drive, quite close to the incineration site, that blew up. The city engineers regularly check houses in the area for methane gas and, as I say, standing on the incinerator site and looking around, methane vent stacks can be seen quite readily.

Mr. Wildman: But you are not necessarily opposed to this project. What you are asking is that it be assessed under the Environmental Assessment Act before it goes ahead.

Mr. Mahon: Definitely. I feel that this is a must and our association backs that idea 100 per cent. I do not feel that you can deny that landfill is having its problems; that all municipalities very shortly will be running out of landfill space. I think incineration is one of the ways that are open to us to solve our landfill problems. However, if this is the direction that is going to be taken, if this is a prototype system, if this is the path of the future, let us check it out first.

Mr. Wildman: Can I ask just one more question? Do you live close to the site?

Mr. Mahon: Yes.

Mr. Wildman: Could you give us some kind of description of the layout, the topography or something? You spoke about hills around it. Is this in a depression?

Mr. Mahon: This will be dealt with by other members that will be talking, but the site itself is on quite low-lying land and it is surrounded by high land. The residents are on the high land surrounding the area.

Mr. Scherer: May I make a brief address then to several sections of the act that we find some difficulty with? In all fairness, because we have not had that much to deal with all of these things, our ideas in some respects, as mine, in this area are quite sketchy. Frankly, it is unclear to us in some instances whether to leave things as they are or delete them or alter them or amend them, and no specific thought has been given to the wording of amendments and this type of thing.

Section 10(2), for instance, would seem to deal as per section 57 of the Public Utilities Act. It seems to me that a bylaw assented to by municipal electors should be passed before the corporation grants the right to the hospital to supply power to the inhabitants of the municipality. We tend to question the intent of sections like this.

Mr. Chairman: Excuse me, could you repeat that please? You feel that there should be a bylaw passed before they present--

Mr. Scherer: I am saying my reading of section 57 of the Public Utilities Act states that a bylaw assented to by municipal electors should be passed before the corporation grants the right to the hospital to supply steam for power to the inhabitants of the municipality.

What I am getting at is it seems to me that in this bill there is an attempt to remove a power of the electorate or an assent of the electorate that might be necessary. Certainly Victoria Hospital, at this point in time, as a producer of power from waste energy is not a public utility. But incidental to their proposals has always been the maintenance of the stand that in time they hope to produce power in excess of their own needs and to provide it elsewhere. Certainly the public utilities and the power grids are a very accessible or a captive market.

Mr. Chairman: Mr. Dawson would like to comment on that.

Mr. Dawson: Perhaps I can lay that point to rest as best I can. The reason for that power is that in this rather large proposed health care centre, there are going to be, apart from the active treatment sector, other treatment centres such as chronic and ambulatory and so on. Parkwood Hospital is an example. It is intended that the supply of hot water, steam and electricity will be made available to Parkwood, which is administered by an entirely separate body than that of Victoria Hospital, from this plant. If it is going to be supplied to this utility, then it must do so probably across Commissioner's Road, which is a public street and probably through roads or across roads, internal roads, which may eventually become public streets. This is the only reason for that section, to permit the transmission of the utility internally to related health care centres.

Mr. Wildman: Perhaps, Mr. Chairman, we could have a comment from either counsel for the Ministry of Energy or the counsel for the committee on that interpretation.

Mr. Revell: I agree with Mr. Dawson's analysis of the requirement from the reference to section 57 of the Public Utilities Act. I point out that this corporation will be authorized only to distribute the utilities under section 8, clause (b), to buildings and structures on land at Westminster Campus, owned by the hospital, or by any health care institution, home for the aged, or other similar related institution. That is the first authority.

The second authority is the consent of the Minister of Energy for buildings and structures on land at Westminster Campus. It has to be Westminster Campus lands which are the lands defined in schedule II. If I understand the spokesman correctly, he was perhaps saying that there is an authority to distribute to the public at large, but I think the company or the hospital will be pretty restricted as to whom it could cover. As I understand subclause (ii) of section 8, it was to cover off a situation where there may be a bank or something like that located on Westminster Campus

Because it is subclause (i), the steam could only go to health care institutions. If there is a bank located there, it seems rather strange to have a utility pipeline going past and not be able to tap it, which seems reasonable.

3:50 p.m.

Mr. McGuigan: We would agree. A couple of years ago I visited two plants down in the United States that make power from waste. One of them was very fortunate in that right next door was a wood treatment plant where they used steam year round.

The problem you get into with steam is that you have so much bigger a problem in the winter than in the summer, and the problem is to find a market for it during the summer. It could very well be that the only market in the summer is to convert to electric power. As I understand it, it is the policy now of Ontario Hydro, since about two years ago, that it will buy electric power from anybody, even a private individual who might just have a backyard windmill, at wholesale rate.

Really this act should have provisions in it to sell electricity to Ontario Hydro and to deliver it. You would probably have to cross some public lands in order to deliver it. The real source of the problem, of course, comes from the summertime. You have more waste than you do in the winter, and you do not have the market for it.

Mr. Scherer: Mr. Chairman, if I may beg your indulgence for my presentation, I may not be that clear, but this is what I am getting to, that certainly the present concerns are for power within the facility itself. But as a power facility of this nature, it has been represented to the residents in various informational meetings that in time there will be power in excess that is going to be sold off and the moneys generated will be going back into hospital facilities.

Certainly we are concerned that the electors be protected and things not be removed from them. I am not exactly certain as to how that can be done, but this is a concern that we have.

If I can forge ahead, section 11 is another section that some people are concerned with. This, in our reading again, seems to provide that the assent of electors is not required for the issue of debentures in this situation. But really, given the amount of money involved, are there really any assurances that Victoria Hospital is going to be able to pay the municipality back in this regard? It is the feeling of many residents that this sort of activity should certainly be subject to the assent of fully informed electors.

Mr. Tom Leathong has submitted a letter to us. If I may, I shall read the entire text of it. It is not very long.

"Dear Sirs:

"I am taking this opportunity to write to the committee with respect to the above-referenced private member's bill. I am a vice-president of an Ontario-based trust company and I have some 18 years' experience in banking, finance and mortgages.

"My concerns with the bill are that, to date, there has not been sufficient information to the public as to the actual costs involved in this project and how the hospital, and should they be unable to, the city, would pay for a debenture issue.

"The London Free Press article of October 23, 1981, states that this issue would be for \$28 million. This amount, I believe, is the total original cost of the building which would house special incinerators to burn garbage and sewage. The cost of such a plant must, in fact, be a great deal more than would a power plant fuelled by natural gas or hydroelectric power.

"My concerns are, firstly, how much money is required by the debenture? Statements have been made in the past that funds were available from the federal, provincial and municipal governments by way of grants.

"Secondly, how would a cash flow be generated from the plant, and would it be sufficient to cover the operating costs plus debenture interest and principal? These are basic questions, but ones which should be answered prior to the city being given carte blanche to write their own ticket.

"We must not forget that, despite their denials, the city has a vested interest in this project going forth, to relieve the Greenway situation. I am concerned that the city of London must be made to disclose the total financing package, and should this bill be passed, the council will not disclose this to the public.

"I believe that the cost of this project is a significant amount of money and that we are entitled to know all the facts, prior to the city and hospital receiving legislative approval. The time to ask questions and receive factual answers is now, and your committee should have this information while reviewing this bill.

"Yours very truly,

""T. J. Leathong"

You have that letter in your possession, Mr. Chairman.

In regard to the section of the bill, it deals not only in loans but in grants, and grants to my mind are gratis amounts of funding. So that again is one of our concerns, and there should be some consideration given to the electors.

Mr. Wildman: Do you have any idea, since a feasibility study, I understand, is not complete, what the total cost of this project might be? Are there any ballpark figures?

Mr. Scherer: If I may answer that, we have been quoted oftentimes figures of \$28 million. Initial feasibility studies quote a figure of some \$25 million at an interest rate of 13 per cent as of March last year or something to that effect. Again, we would wish to have more accurate, detailed and precise information to give you.

Mr. Wildman: Does the municipality, the hospital or the Ministry of Energy have any particular estimates?

Mr. Blackwell: No, Mr. Chairman, and that was precisely the point, I was trying to make earlier on this afternoon. The municipality has not committed itself financially to this project in any way, shape or form, and I think we are as interested as the citizens, in seeing what the final dollar figures are.

The sole purpose of section 11 is that if the opportunity is there to participate financially and the figures come out properly, then we would like to have the authority to be able to do that. As for doing this without the public seeing it, that just is not the case. Clearly where the Ontario Municipal Board is required to approve of the matter, it is going to conduct a public hearing, and any member of the public is going to have a full opportunity to come in and voice his support or objection to whatever the city's application is.

Moreover, I can't conceive of our council dealing with this behind closed doors. I think they are quite conscious of the public interest in this issue. I, for one, feel they would be responsible enough to deal with it in public.

Mr. McGuigan: Mr. Chairman, there is a little point that has been bothering me in the last hour or so, and that is whether or not this board here today should really be delving very deeply into whether it is environmentally safe, or whether it is economically viable and all of those questions, because we could not answer that in less than a year, if we really went into it. It will take on the environmental assessment board a year of work.

What we really have before us is legislation which I see as enabling legislation, which would allow the hospital to go ahead

with these things. The quarrel between the citizens and the hospital will have to be done at the local level, and the electors always have the last word in those matters--maybe not at the time, but later on they have the last word.

Mr. Chairman: The next election after.

Mr. McGuigan: I just point out that we could not go into that and say yes or no in a day's hearings or in a month's hearings.

Mr. Scherer: If I may just make a point, I think this is fundamental to this whole area. Certainly this is enabling legislation, but the crux of the matter is, what is it going to enable? From all indications, from those things that the citizens have heard, it is going to enable the energy-from-waste project. It seems to be very clearly defined in the following article.

Mr. Chairman: If the feasibility study says that it should proceed, if council in its wisdom at a future date decides to proceed with the project, then it goes to an OMB hearing, at which time the citizens have further input. Also, the citizens have input at the council level when it is on the agenda for council to decide.

4 p.m.

Mr. Wildman: With respect, Mr. Chairman, what I understood Mr. Mahon to say is that he is not necessarily opposed to the project going ahead and all those steps taking place as you mentioned, but he is asking for one additional step to be inserted into this bill by this committee, that is a requirement that this project be subject to environmental assessment under the Environmental Assessment Act.

Ms. Bryden: If I may interject, we also have now the Consolidated Hearings Act which would probably bring together an environmental assessment hearing and any OMB hearing that might be required into one hearing.

Mr. Van Horne: I want to go back to the point that I made in the beginning. Mr. Scherer started with his observation of my chicken-and-egg analogy. The enabling legislation, as I understand it, will trigger the environmental hearings. If I understand this--and I see counsel has a question mark on his face--the job we have to do today as a committee is to say that we approve or agree to this section of the bill or we don't.

If we do, then it will allow Victoria Hospital Corporation to proceed and present its design plans and the detail of the equipment within that plant to the Ministry of the Environment. At that point, the determination is made that it either warrants a hearing under the Environmental Assessment Act or under the Environmental Protection Act. That is a ministerial judgement. Am I wrong or am I right? You are nodding no, I am wrong.

Mr. Revell: I believe at the present time unless there is an order made under the Environmental Assessment Act it does not apply.

Mr. Van Horne: Go back again; tell me that again.

Mr. Revell: The Environmental Assessment Act does not apply. Is that right, Mr. Swaigen? It would not apply unless it was designated as a public body to which the Environmental Assessment Act applies.

Mr. Van Horne: Who makes that determination?

Mr. Revell: The Lieutenant Governor in Council.

Mr. Van Horne: And he takes the advice on that from the ministry. So we are saying the same thing. You are using more legalistic language than I am. I am just a layman here. But I think we are on the same wavelength, are we not?

Mr. Revell: I agree with your analysis. But in terms of, does the Environmental Assessment Act apply at the present time, it only applies if an order is made.

Mr. Van Horne: That's right and that's not a judgement that we can make in spite of what Ms. Bryden said.

Mr. Revell: Ms. Rounding would like to make a point.

Ms. Rounding: I agree with what has been said here. I think the point Mr. Van Horne is making is that if the committee should agree to pass this part today, it does not necessarily preclude an environmental assessment hearing from taking place. There is still that option. The citizens' groups may approach the Ministry of the Environment; the ministry staff may make a recommendation; and the minister in his wisdom may make a recommendation to the Lieutenant Governor in Council that there should be a designation made. In such case, this project, as a private enterprise, could be designated and come under the Environmental Assessment Act.

Perhaps what we are saying is, with due respect to all the members of the committee here today, is this really the proper forum to make that decision? Or should we defer the decision to those who are best qualified to address it?

Mr. Wildman: With respect, Mr. Chairman, surely democratic government is government by amateurs, not by experts. I would suggest the experts advise the legislators and the executive council. Legislators do, in fact, have a responsibility and, I hope, a competence to make decisions, either accepting, rejecting or modifying the advice of experts. I am not sure that we should leave our decisions to the experts.

Mr. Blackwell: Mr. Chairman, may I make one comment with respect to that? First of all, I would like to adopt the comments of Ms. Rounding. Secondly, I would like to point out that if a decision is made here today by the committee that this unequivocally should be subject to an environmental assessment, in effect you are saying to the city of London, "In the face of this control order, you people go and you do your repairs on Greenway in order to satisfy the control order and Victoria Hospital will have to go on its own." That is really going to be the effect of it.

In the event of an environmental assessment on this project, the time constraints under the control order are going to be so tight that there is no way the city will ever be able to realistically look at using the facility, whether it is feasible or not. I suppose the leverage the city is looking for with the Ministry of the Environment is that if the Ministry of the Environment is leading toward an environmental assessment on this project, obviously our response is going to be: "That is fine. If you still want us to be a player in this thing, then you are going to have to modify the control order." But if the committee makes the decision here on an environmental assessment, really the city is out of the game.

Mr. Van Horne: No. It is not our prerogative to make that decision.

Mr. Blackwell: I stress that point.

Mr. Wildman: Would it be useful if we were to hear the presentation?

Mr. Chairman: The gentleman down here had a question. Could I recognize you first?

Mr. Maudsley: I have one worry about--

Clerk of the Committee: What is your name, please?

Mr. Maudsley: My name is George Maudsley. This has nothing to do with it. I am representing the federation. But I have one basic layman's worry about this. The way I interpret this bill is that the city wants the right for Victoria Hospital to issue debentures in any amount necessary and to build any plant necessary without having to go back to the people for recommendations. It is just a fast, full speed ahead and to hell with the consequences type of deal, if you will pardon me.

Mr. Chairman: The only way I could respond to that is what I said previously, that certainly there is going to be all kinds of publicity at the city council level while these discussions are going on. They cannot possibly be done in a back room, making a decision to fund the hospital for X number of millions of dollars and nobody knows what X is. Again, I will reiterate that it is permissive and that does not prohibit us from amending the bill as we now have it before us. As an ex-alderman, you just do not commit political suicide and go gung-ho without some consideration.

Mr. Maudsley: But it is not the aldermen doing it. It is now the separate corporation of Victoria Hospital. We have effectively bypassed this. It is taken it out of the elected officials' hands and into those of Victoria Hospital. That is the way I interpret this bill to read. It lets them pass the hot potato.

Mr. Chairman: Would someone care to comment on that?

Mr. Blackwell: Mr. Chairman, it is conceivable that Victoria Hospital could set up a corporation which could issue its own debt financing. But that is on the Victoria Hospital side and how they do it is their own business. The moment that Victoria Hospital approaches the city and says, "We want you to contribute X or Y number of dollars," or "We want you to guarantee the debentures of this other corporation we have created," or "We want you to guarantee our own debentures," or "We want you to guarantee the provincial participation in the thing," or whatever, in order to do that, under the general legislation and with this special legislation, we would have to go to the Ontario Municipal Board and we would have to get its approval. It is as simple as that.

In doing so, we would inevitably be involved in a public hearing. The public would be there; there would be public notice and rights of appeal up to the cabinet under the Ontario Municipal Board Act. There are applications to the Divisional Court to quash. There are all sorts of avenues open to the public. It is not foreclosed. On the city side, there is ample opportunity, I submit, for public participation.

4:10 p.m.

Mr. Wildman: Could I ask you a question since I am not one of the many lawyers who happen to be in this room? Would a hearing before the OMB be able to assess some of the impacts on the environment that might be of concern to the local residents?

Mr. Chairman: I doubt if it would be addressed, would it?

Mr. Wildman: Legal counsel for the city has pointed out quite correctly, as I understand it, that any move by the city to get involved in this project would involve an OMB hearing because it would be long-term financing. My question is could an interested party, whether for or against the project, come before the OMB to raise environmental concerns that in some way might otherwise have been raised before an environmental assessment hearing.

Mr. Revell: My opinion would be, no, but Mr. Blackwell may correct me on that. I would point out that what section 11 does is it avoids getting the assent of the electorate with respect to passing the bylaw, but it still does specifically require the approval of the Ontario Municipal Board, so the board would be involved.

I would think on this kind of hearing--and Mr. Blackwell may correct me--they would be looking at the present debt load of the municipality, its current outstanding debentures, whatever else may be in the hopper for approval before the OMB with respect to other debentures, and determining whether or not the city could meet its commitments on these debentures as they fell due. I do not think that they would be looking in any way at the environmental aspect of the matter.

Mr. Wildman: Is it possible for you then to go to the use of the Consolidated Hearings Act?

Mr. Revell: With respect to the municipality, there would not be a hearing to consolidate. I may be wrong again on that, but I do not think so. The OMB is going to be separate and apart if the only function in this is going to be when the city decides, if it decides, with respect to the money aspect. Mr. Swaigen may be of assistance on the environmental matters.

Mr. Swaigen: Mr. Chairman, as the honourable member probably knows, as soon as you get more than one lawyer in a room, you get more than one opinion. I am not sure there is any definite, firm answer to the question, but there are some cases where it has been ruled that in zoning in official plan hearings, the OMB must also consider environmental issues. I would suspect that if it were to be under the Consolidated Hearings Act, the environmental issues would be heard under the debenturing hearing.

Mr. Wildman: But how would you get it under that?

Mr. Swaigen: I am not sure that the OMB would hear the environmental concerns. There is not a certainty that the OMB would hear environmental concerns.

Mr. Wildman: Although you are pointing out that there are different legal opinions, what you are both saying in essence is that there would be the opportunity for public input before an OMB hearing, but that would relate to the financial aspects as it relates to the municipality and not the environmental aspects.

Mr. Swaigen: That is probably correct.

Mr. Revell: As the city solicitor sitting across the front of this table has probably had more experience with the OMB than anybody, perhaps he is the one to answer that.

Mr. Blackwell: I suppose it really depends upon the panel of the OMB that is hearing the matter as to how wide a hearing they want to have or how narrow a hearing. Quite clearly, it is not within the mandate of the Ontario Municipal Board to give environmental approvals or not. But under section 63 of their act, they have a fairly wide scope of inquiry and they can inquire into the financial position of the municipality and any other matter which, in their opinion, is necessary.

I do not want to mislead anybody, certainly not the committee, but I could conceive of a very sympathetic panel saying, "We are prepared to listen to environmental issues even though we cannot decide them." You may get a panel that takes a very narrow stance and says, "No. That is out of our domain." My position would be, of course, that really any environmental assessment should be done under the Environmental Assessment Act by the competent jurisdictions.

Mr. Van Horne: I have a question, Mr. Chairman, on the time that we are facing right now. The committee normally does not sit this late, as I understand its operations. There are time commitments that people have; certainly I have one. I am wondering what your determination is on the time left to us this afternoon.

Mr. Chairman: I was going to suggest that the delegation before us proceed and present us with all their concerns, perhaps with very limited interjections from the committee.

Mr. McGuigan: Mr. Chairman, before you do that, I would like to say before that, if it takes a month of hearings to do this and if we decide we are going to take on that job, we will take a month or whatever time it takes. I think as a committee we should decide right now before we hear any more submissions whether or not we are going to address ourselves to the environment and to the matter of whether or not it is economically feasible.

I, for instance, would be glad to support a motion that we put another amendment in here saying that it goes before the Consolidated Hearing Act. But I know as I sit here that all the government members, and they have a majority, would vote against it because we would be making environmental law, and I do not think this private bill would be allowed by the government to change the course of environmental law in Ontario. I would be glad to change it. I think environmental law is damned poor, but I just cannot see it passing this group.

I raise the question whether or not we should proceed on hearing these concerns or just go through the thing clause by clause and decide whether or not it is a good act as far as enabling is concerned. And those other decisions will have to be made by other people.

Mr. Chairman: Yes, but that still does not prevent us from hearing these people.

Mr. McGuigan: Just from the time standpoint.

Mr. Wildman: These gentlemen have come a long way to be heard. I think we should hear them.

Mr. Chairman: We should, yes.

Ms. Bryden: Mr. Chairman, I certainly think we should hear them also and I think we should contemplate that we are going to have to have another sitting on this, because I certainly intend to move an amendment asking or requiring that this particular project be designated as subject to the Environmental Assessment Act. I do not think that is making environmental law. I think that is asking the Lieutenant Governor in Council to exercise a power he has.

It will take considerable time to discuss this amendment, but I think before we get on to it and before I place it, we should hear this delegation. I think we should bear in mind that the notice that they received was very inadequate. I think most of them only heard about it on Friday. I only heard on Monday about this particular sitting when I got the notice on my desk in the House that we were dealing with this bill.

In view of that shortness of notice, it is very improper for us to proceed to deal with the bill today. I think there are 20,000 people who live in this area where this project will go ahead and I think they have a right to be heard and they have all not had an opportunity to even know about this hearing, much less send representatives to us. I think there is a great deal of additional information needed about the prospective costs and the kind of facility that is proposed before those people can actually come and discuss it with us.

For all those reasons, I feel that we should contemplate a further sitting on it, but perhaps for another half an hour or so or whatever it takes we should hear the people who are here today and then adjourn and give people an opportunity to appear again at a further sitting.

Mr. Chairman: All right. I would ask the delegation to proceed and I must also ask the committee, unless it is a very relevant question, please withhold any discussion until we can the concerns of the committee.

Mr. McGuigan: I would like to say, Mr. Chairman, it is fine with me as long as we have agreed that we are not set by time constraints. I think what Ms. Bryden said is right.

Mr. Chairman: If we lose a quorum, then we will have to adjourn the meeting.

Mr. Scherer: The citizens are really simply for fairness and accountability. If the city is unclear as to whether they are going to support the project and if it is unclear as to how much funding is involved, then at least it would seem reasonable to have the assent of the electors involved, or else there is nothing really clear about the issue of debentures, and that is really one major area of concern.

4:20 p.m.

In regard to section 12, we are really not clear whether this section should be left in or completely deleted. It seems to strain to make sure this facility is not identified in any way, shape or form as a municipal undertaking. If, in fact, an arrangement occurs between Victoria Hospital and the city of London, there are going to be many co-operations taking place. There is going to be funding from the municipality, there is going to be granting from Greenway going to Victoria, and debenture authorization potential for the city to authorize Victoria Hospital in the future to issue utilities on a public basis perhaps.

There are, in turn, going to be savings for the city. They are going to save with respect to their manpower, their equipment, their transport costs. There is going to be an extension of the life of the landfill site. There seem to be many encouragements for mutual sorts of co-operations.

The section does not really seem to add anything to the substance of the bill. But, arguably, if the municipality can be

assessable under the Environmental Assessment Act as creating a hazardous waste disposal site or a landfill site, then is it able to pass it off by simply stating that this, as a private corporation, is not assessable? Perhaps Mr. Swaigen could help me out on this point. It is my reading that if the city tried to start a waste disposal site somewhere for hazardous waste, it would be assessable under the Environmental Assessment Act. Is that correct?

Mr. Swaigen: I do not think so at the present time. I think that it is still heard under the Environmental Protection Act.

Mr. Scherer: I was under the impression that under the most recent regulations 460-80--

Mr. Swaigen: I may not be up to date on that. I was not aware that that had been changed.

Mr. Scherer: This is why I am asking.

Mr. Swaigen: I am sorry, yes, of course, it is a public corporation. I think a municipality is a public undertaking. Mr. Blackwell may be able to help on that, but I think if it is over a certain expenditure, over \$1 million or something, it now would be under the act.

Mr. Scherer: Yes, as well as if it were hazardous waste, as a waste disposal site. I believe there are several different things. If we can make the analogy that as a public corporation the city would be assessable under the Environmental Assessment Act, then why are we not able to draw that forward one step to the private corporation that is really going to be undertaking the same facility on behalf of the city?

This again is a concern but this section seems to say well, we are but we are not. It is unclear, as I say, whether it should be left in to draw attention to this sort of dubious state, or whether it should be deleted altogether. At this point, that is all I have to say, and we will continue with the rest of the submissions.

Mr. Chairman: Before continuing, members of the committee, normally our minutes are not transcribed and I recommend that we ask that the minutes of this particular subject, the London bill, be transcribed.

Ms. Bryden: I so move, Mr. Chairman.

Mr. Wyllie: My name is Bob Wyllie. I live on Eagle Crescent in Glen Cairn in London. It is my objective to relate and express to the committee the sincere and serious concerns that the ratepayers in the area surrounding the proposed project have in regard to their own health, wellbeing, quality of life, the value of their property and the impact on the ecological and human environment.

I would at this point talk about a petition that was circulated in the area to find what public opinion was. In conjunction with the other people here, in a loose coalition we represent the Glen Cairn Residents' Association and the Concerned Ratepayers of Glen Cairn, because there are two sections there, Pond Mills Community Association, the Westminster Park Community Association, Concerned Ratepayers of Chelsea Green, the McIlwraith Wildlife Society, the Western Ontario Fish and Game Preservation Association and also other residents in Lockwood Park area, and some concerns that were expressed at meetings previously of the Westminster Veterans Association.

We are not very satisfied with the responses that we got from local aldermen as to representing the community objections to the project. To this end, in that we did not seem to have a voice through the two aldermen in the area, we decided that a petition to find out what people felt about the project would be in good order. At that point we circulated a flyer in the district, about 3,000 copies, and called people to a meeting to raise a petition. You can look at this later.

To this end we got 150 people out to that meeting. We had a number of volunteers who were willing to take petitions around door to door and address their concerns. We got over 3,500 names on the petition. We consider that we have not canvassed it fully because this was taken in July during the vacation period. It can be canvassed further. The Westminster area has not been canvassed as yet and Lockwood Park has not been canvassed. We feel that 90 per cent of the people who were approached signed the petition. The petition says, "We, the undersigned, are opposed to the incineration of garbage and sewage sludge at the proposed plant."

This is an area that is in the east end of the London South riding. Gordon Walker is the presiding member. It is in the south end of the London East federal riding and part of the area is in East Middlesex federal riding. We have had support from the two federal MPs in respect to the citizens' desire, first of all, not to see the project proceed, or at least have an environmental assessment on it. We have it in writing that they would like to see that take place.

The main objections to the plant are the existence of foul odours, harmful gases, soot, dust and smoke in the area surrounding the proposed plant and the increase in traffic congestion in an already busy section of London. When there is a new hospital serving 900 patients, there is tremendously increased traffic surrounding that as well. On traffic we are talking about 50 truckloads of garbage coming into an incinerator right adjacent to the hospital, 10 truckloads of ash being carted away, and about 15 or 20 trucks of sewage sludge being delivered to the site as well, across the city from the Greenway pollution plant.

4:30 p.m.

Noise pollution will increase in the surrounding residential areas at all times of the day or night. The area has continued to be affected by devaluation of property due to past disposal

methods used in the city. This is a thing that the whole community has suffered from, the methane gas problems that were originally caused by actions on the part of the city. Four years ago two houses blew up; the foundations are still sitting there for people to see. This matter is before the courts, so we cannot get any word out of the city about what they are going to do with it.

The people there live in absolute fear, even with the containment measures, the venting and vents with ventilators right out in the backyard on the edge of their house. They do not want any more garbage. They do not want any more pollution brought into their area.

When I phoned the alderman, I said, "I am concerned about this. I do not want that project in our backyard." He said, "You are the first one who has complained." I could not believe it, after just having attended a meeting where there had been about 40 or 50 people trying to raise some concerns at the first public information meeting that Victoria Hospital had presented, about May 28 or something like that. You do not believe your councilman. He is supposed to be representing this whole area.

That was why I was determined to get the rest of the people involved and get a petition. I will turn the 30 copies of the 3,500 names we have, and the map, over to the chairman so you can see how we went about it and see the serious concerns that the people have. They perceive that with garbage trucked in and sludge trucked in and burned on top of the garbage, not only will they have the garbage but they will have the stink that is associated with the Greenway pollution plant. All of the comments and statements by the technical experts are not going to allay that fear, but perhaps proof that a system will work may do so.

What I would see as an option is that they let the Greenway corrections proceed to find out if sewage sludge can be incinerated without odour. It was indicated that might cost \$10 million to \$12 million. Previously it was indicated that it would cost about \$3 million or \$4 million. Who do you believe? That is the question. People perceive that these experts are not listening to them.

In conclusion, I would say that the whole bill on the part of the city of London is premature in terms of the Ministry of Energy and the project. It is not the right thing to be doing there at this time. I would like to thank the committee for the opportunity to present our position on this.

Mr. Wildman: I do not want to prolong this, but I would like to get some clarification. Mr. Wyllie seems to be saying two things here. I get the impression that for very strong reasons he does not want to have the project in his area at all. He seems to be saying that in one sense. In the other sense he is saying, "Well, I would like to have environmental assessment"; whereas I think Mr. Mahon said that if it could be shown that the thing were a viable project, he would not object to it, but he wanted to have an assessment to show whether or not it is viable. What is your position? Are you just against it?

Mr. Whyllie: People on a committee do not always have identical views.

Mr. Chairman: I think you will find that with this committee too.

Mr. Whyllie: I am trying to represent the position of the citizens, the people who elect aldermen. They elect people like Gordon Walker to positions in the provincial government. These are the people, ultimately, who have the final say. But it is three years until we have another election. An incinerator is something that you live with for 53 years or for 100 years, burning, smoking, giving off gas and everything else, and impinging on the surrounding neighbourhood.

I lived in Toronto and I went to Harbord Public School, across from the big incinerator that they have just in behind Canada Packers. I know what an incinerator is like. The member for Beaches-Woodbine knows what Ashbridges Bay is like. We are having all this expert decision that these things can be prevented, and they cannot.

Mr. Chairman: If you would like to continue with the presentation. Incidentally, you did mention Gordon Walker's name and I was talking to him at noon. He is tied up in the justice committee all day. His estimates are before that committee so he has to be there. He is concerned with what is going on here too, I think.

Mr. Wyllie: I would like to give the copies of the petition to the chairman so that, in a political sense, you can understand how the people feel and how they might vote. There are 3,500 names.

Mr. Chairman: What is the next gentleman's name?

Mr. Maudsley: My name is George Maudsley. I am the ponds committee chairman of the Western Ontario Fish and Game Protective Association. We are Victoria Hospital's most southerly and probably only southern neighbour. They moved in just recently and up till now they have been very good neighbours. Unfortunately, I am afraid it ends here.

Mr. Chairman: The friendship is ending.

Mr. Maudsley: I am here as a representative of the Western Ontario Fish and Game Protective Association. I am not here to condemn--strange as it may seem--the idea of garbage incineration or energy production from waste, but rather to plead for the preservation of an irreplaceable and unique heritage. The area I am referring to consists of 739 acres of the finest example of glacial terrain and landscape left in this area. It is a comparatively minuscule portion of Middlesex county and sustains a diverse and fragile ecological system seldom seen in populated areas.

The land has been promised to the people by the government as a park conservation area for ourselves, our children and, hopefully, your children. Where else can you walk within 100 yards of a busy highway and find yourself transported into a northern environment complete with wild geese, rare birds, beavers and tranquillity, or back a century in time like it must have been around this area?

Victoria Hospital Corporation proposes to build its untested incinerators within the perimeters of this seriously endangered land, in spite of extensive, in-depth biological surveys done in the recent past proposing a complete freeze on any commercial, industrial or even residential development. Can we afford even one chance in 28 million of condemning to extinction what was carved and sculpted by glacial action 14,000 years ago and cannot be duplicated again until the next ice age? Will we write finis to several already endangered species?

4:40 p.m.

The short-term financial gain expected by the corporation will in no way offset the loss to present and future generations of this ever-diminishing natural resource. We are constantly bombarded by the corporation officials about the dollar savings this plant will bring to the city, but no one has dared to put a price on the present and the future worth of this irreplaceable landscape.

If you, the committee, cannot see your way clear to recommend this plant be located on less ecologically valuable land, we strongly urge, if all else fails, that it be subjected to the Environmental Assessment Act. This alone will safeguard not only the health and welfare of the people but also the animals and plant life.

I have a few supporting references, articles and quotes also listed on here. They can be read. All I wanted to do was point out the fact that Mr. Walker, PC London North, God bless him--

Mr. Van Horne: I beg your pardon, you mean south.

Mr. Maudsley: --said on August 13, 1975: "The land within the proposal is unique"--we are still talking about the same 739 acres.

Mr. Van Horne: My apologies. He was in London North, but then things changed.

Mr. Maudsley: Thank you.

"The land within the proposal is unique in this part of the province because it contains many examples of flora and fauna. The idea is to keep it as much a passive park as possible, a place to go and consult with nature."

On September 12, 1981, Mr. Gordon Walker, now Minister of Consumer and Commercial Relations, talking on the topic of environmental law rigidity, says, "Ten or 15 years ago

environmentalists' concerns were not considered. Today we may go a bit overboard." I just say that in another 15 years from now with this type of attitude, I do not want this area to be known of Love Ponds or Harwich East. I think we need the environmental assessment.

I must thank the city of London for almost half the reference. They have just completed, with the Upper Thames River, a biological survey of this area. There are listed in here the rare trees, the rare plants, the animals and the wild life. It is too involved to go into. I have given you their introduction; I have given you their conclusions.

Their conclusions concur with the reports and surveys carried on in the past that this land should remain protected; that it should not remain as it is because it is already starting to go downhill. It should be fully protected, turned into a parkland, which is nothing new. It had been proposed even before the hospital took this property over. The government was going to turn this into a major park for conservation and people.

We need, and will need in the future, garbage incineration and energy from waste. Gentlemen, we cannot take the chance of wiping out and destroying 739 acres that will never be replaced again. There must be some other viable area where this plant can go.

If anybody is interesting in it, he can get copies from the Upper Thames River Conservation Authority. It explains in very much more detail than I ever will exactly what is in this area. This report was just finished in May 1981. The reports from 1970 to this date all state the same thing--it will not be replaced. Also included is copy of a letter from the McIlwraith Field Naturalists of London, Ontario Incorporated, advocating exactly the same thing.

We are all willing to live with the Environmental Assessment Act, please--not the Environmental Protection Act. If it is worth doing, it is worth doing right. Let's protect this as much as possible.

Mr. Van Horne: Mr. Chairman, I have to leave so I want to say thank you to those people for their indulgence in being here today. I wanted for the record to correct an impression left by Mr. Mahon that it was I who created this bill and that it was I who brought it in with little notice and that it was I who called this meeting with little notice. If those were not the words that he used directly, he certainly implied that I was the author of this particular series of events.

For the benefit of those who do not understand the procedure with private members' legislation, neither the Corporation of the city of London nor the Victoria Hospital Corporation, nor any other body for that matter, may of itself bring legislation into the House. It has to be introduced by a member. I introduced the bill at the request of the city and I will continue to do so because I feel it is one of the responsibilities I accept when I am elected, as do all of the other elected members accept that same responsibility.

Once it is brought into the House, it is then the government's prerogative to order the business. They line up the responsibilities for committees such as this and other committees as they see fit and as it accommodates their work load. So it is not I who either wrote the bill or set the timetable for it.

I think it is fair to say that in every instance where I have been asked by people from the London South riding or from the east side of the city, wherever possible I try to co-operate with them. That is not to exonerate myself necessarily, but to make it clear for the record that we have a role to play here and that is to be as fair as humanly possible. If all of us as government cannot do that, then we are not doing our job.

I do have to leave but I am leaving with the understanding that we will set down this part of the bill until a later date, possibly next week.

Clerk of the House: No.

Mr. Chairman: We will not be here next week.

Mr. Van Horne: Three weeks?

Clerk of the House: I do not know yet.

Mr. Chairman: We are into estimates after this.

Mr. Van Horne: All right.

Mr. Chairman: I would like to continue with the delegation. The next speaker and name, please?

Mr. Soltys: My name is Joe Soltys and I am a research chemist. I live in that part of the town and that is how I got involved. I am a self-appointed environmental critic on behalf of the new coalition which Mr. Wyllie described. Somebody with some basic knowledge of chemistry has to stand up for the people. They cannot think chemically; they cannot even think environmentally except in terms of protecting their trees and everything else.

Unless you actually know London, you cannot appreciate Mr. Maudsley's concern because this glacial deposit, this glacial pond area, is about the only one left in this part of Ontario. If you think Mr. Snow's conviction over a couple of rare orchids that never even got damaged did not reach a lot of people's hearts, you have got to come to London where 1,047 different species were identified within this ecological system which is 300 metres or less from the proposed incinerator.

This incinerator, which is basically being introduced to the people of London in a very delicate way--it is not even mentioned in this bill--will burn between 400 and 600 tons of sewage. This is the stuff that we flush down the toilets. It is dried and burned, and all the garbage and everything that is thrown into the garbage will be burned. It is not just one incinerator. They are going to build four; they are very ambitious. This project is about as ambitious as I have ever seen.

There are three incinerators for burning garbage and one for sewage, but this has been identified as such a safe project that only a 200-foot stack is required. These stacks are only 50 feet higher than our homes, probably no higher than the tree tops, and no more than 50 feet higher than the apartment buildings in the area.

Mr. Wildman: That is because they are on hills, is it?

Mr. Soltys: That is right. The apartments are that high. I am appalled. If you pick up the November issue of the National Geographic, my whole case is stated right there. There was an article called "Now You See It, Now You Don't."

4:10 p.m.

What it means is just because you cannot see the pollution coming out of the stack, it does not mean it is not there. The pollution we are concerned about is invisible.

Garbage contains half of one per cent of chlorine. I do not know whether you are aware of this, but it is half of one per cent, so if you burn 400 tons of garbage you are going to produce two tons of hydrochloric acid. They might scrub most of it out, but that small portion that is going to come through that system is going to condemn that ecological system which was described by Mr. Maudsley. This committee must not give the city of London the licence to destroy or to affect that ecological system. The people of the area are very concerned about their health.

I raised a very simple point form, a list of questions for the city of London. Among these I asked, "When I and my friends throw mercury batteries from cameras into the garbage and you are going to burn that material, what happens to the mercury?" I got a one sentence reply, "It will end up in the ashes." Any decent chemist knows that mercury and cadmium and arsenic are very volatile, and that is one of the problems of burning coal. All those heavy metals do not go into the ashes; they go into the atmosphere along with uranium.

The biggest problem facing us today is PCBs. I am sure you realize that most of the PCBs in the consumer hands are still in the product--your transistor radio, the plasticizers used in the insulation of electrical wires. You need a temperature of 2,200 Fahrenheit to destroy PCBs safely. They do not propose to run their ovens at that high a temperature because then you have oxide and nitrogen problems or you are going to burn your furnaces out. They tell us they have this whole problem under control.

We do not want this project to proceed any further until the Minister of the Environment agrees that this is not a private project. The city is going to supply 600 tons of material per day, very dangerous material. They are going to truck the ashes and scrubbing materials to the dump site. The federal government is eventually going to give up to \$4 million; the provincial government is going to contribute; and the city is going to contribute \$3 million or \$4 million.

How can you call this thing a private project? It has so many municipal implications that we need a new definition for this purpose. My definition, and I am sure this Legislature probably will not agree, is this: A private project is one which has no municipal, no federal or no provincial input. This one has all of them.

The Ministry of the Environment is really at the heart of the whole problem. They have to recognize the needs of the people. We cannot fail in this project in safeguarding the rights of the people. Mr. Duff admitted, I think publicly in London, on behalf of the Ministry of Energy, that this system in London is going to be a prototype for future incinerators in Maple, Ontario, the big ones. If we do not get an environmental assessment and if we do not identify the problems with incineration, the people in Toronto are not going to get one either. There will be a precedent set. If these incinerators are going to be under a classification that no environmental assessment is required under the Environmental Assessment Act, we are all going to lose, and not just us, all of Ontario will lose.

I am not going to follow my regular pattern here. I have submitted a four-page letter which you have all received. I have also submitted a six-page letter describing my concerns to the city of London. You might look at it at your leisure.

We found out about the private member's bill through the paper. It was difficult to accept waking up in the morning and reading, "'It is their day in court,' says Mr. Van Horne." I would like to think it is the city's day in court, not our day in court. The city should be defending itself, and here we are defending ourselves.

As far as the gentlemen who were here earlier from the union are concerned, I would like to clarify one thing. They had a genuine concern when they said they did not know anything about this project. The first information was supplied by leaflets in the mail boxes within a one mile radius. Those gentlemen may have got one or may not have got one or they may have lived outside that area. So they had a concern. The next information notice was a little ad about two inches square tucked away in the back of a newspaper which I did not even see, and I read every newspaper in town.

I submitted a letter to Mr. Keith Norton and asked him very serious questions. Basically, I have given him all the information that we have submitted here, except I have a new piece of information which I will submit to you people tonight, which is going to be quite shocking. In my letter to Mr. Norton I pointed out this problem of setting a precedent in Ontario, that this decision of whether Victoria Hospital is allowed to build its incinerator with the full co-operation and an aggressive push behind--it was the city of London, despite what the people think--must not occur without the provincial government really looking at the whole question before it becomes a political issue. It is not political at this point. We have not even approached our members of parliament. We thought we were going to get a square deal by asking direct questions. We do not get direct answers and we are very concerned.

A reporter came to my office one day and he wrote this article about myself and Mr. Mahon and our concerns. This states the case of the people of London just beautifully. We want an environmental assessment, and if we do not get one, we are not going to be happy. I do not want you people to think the people of London are not concerned. I submit a newspaper article to show that people of London are hopping mad. They are hopping mad. "Garbage fuel plan hits stiff opposition." That is the people. "Waste-fuel plant support tied to public acceptance." In other words, they said they will not build it unless we want it. I tell you that they are not even asking us. They do not want to recognize the fact that we are sitting out there. "Waste plant claimed pollution free; opponents skeptical." We really are sceptical and we have good reasons. "Heat put on politicians over waste-burning plant."

"Victoria's garbage-energy bid tied to loan." Listen what this says in here. "Consultant Gary Pregel said the project is a recent innovation that has not been done in North America to that great an extent, but it is technically and economically feasible." Why does not the Ministry of the Environment take him up on that? We need environment assessment when the engineer designing the thing admits that this thing is a recent innovation. We have got a problem. It is the \$28 million of our money they are going to spend. It is what is going to happen to us and to our spirits, to the people of Ontario.

Here is an article from Ontario Hydro, 1980. I have submitted all of these documents. A Hydro spokesman says, "A practical method of removing highly-diluted quantities of sulphur dioxide from large volumes...has not yet been developed." That is true. You can scrub out some of it; you cannot scrub our all of it. Fifty feet above our homes--that is insane. Do you know why they do not want to build it any higher? They claim they have got the dissipation studies all worked out. They do not want to spend the money. It is harder to make a big stack than it is to make a small stack. So this is what they are doing to us.

The federal government says let us do something about acid rain. This is acid rain in our backyards. They are going to build an acid rain plant. That is what they are going to do. We are blaming Americans for acid rain. Let us look at ourselves.

The city did answer some of my questions and I have submitted some of their answers. But if I ask a point-form question, you are not going to satisfy me with point-form answers because my question requires pages and pages. My questions are so precise and so in depth that you require an environmental assessment to answer most of my questions. This question of mercury--how much mercury goes into the garbage? Where does it go? We have some incredible problems to burn garbage.

Here is the crux of the whole thing. The mayor himself saw this article. This was issued on July 3, 1981. He came back from Ottawa, where he spoke to Marc Lalonde, and he said he was glad--he gave the impression here; you can read it yourself--that the federal government had given him this money for the project. And people said, "\$4 million--it is too late now." It is not too late now because we just received a letter yesterday from Mr. Bloomfield, MP for London-Middlesex in the federal government. He

stated in this letter that to date no decision has been made on their application. They do not have the money. Why are they going to borrow \$28 million when they do not have the federal government money?

5 p.m.

This is a letter to Mr. Keith Norton, by the way, from Mr. Bloomfield. "In your capacity as Ontario Minister of the Environment, you should initiate a comprehensive assessment of the environmental impact of such a project on the people. If you allow this act to go through in its present form, you will be giving this licence to the city of London to accomplish exactly what I have described."

It bothers me. Why is the city of London pushing this so hastily? I have lost a lot of sleep. I have asked a lot of environmental questions and I have got some answers. But they always seem to be going behind our backs. They seem to have some reason for not meeting us face to face. Last night, at 10 o'clock in the evening, a man knocked on my door and he had the answer right here. We discovered what the problem of the whole project is.

This whole project might be dead right now. This is schedule C of an Ontario Municipal Board order. It is a contract between the Corporation of the City of London and the Corporation of the Township of Westminster. That is where the dump site is. This schedule C basically identifies what can be put into the dump site and what cannot be put into the dump site. Under nondisposable waste materials it includes explosives, car bodies, sheet iron, carcasses of animals, any building materials unless specified, and any corrosive or toxic materials.

Gentlemen, I do not know of anything more toxic than incinerated materials. When you incinerate materials and you do not let anything up that stack, you claim you have got it all in this bag and you take it to the garbage dump and throw it in there, then you are committing a crime, unless you have the the Minister of the Environment's permission to do that.

Most of the toxic elements that we know today are bonded to other materials and therefore they are not water soluble. Once you have incinerated those materials and made them ionic, inorganic, you have a problem. This is the problem that people in Harwich township have today. They do not want toxic, water-soluble materials dumped into their dump site because it is going to affect the water within a five-mile radius.

This is the evidence maybe of why the city of London is pushing this so hard down our throats without our being able to defend ourselves. I should thank the city of London for pushing this act to the point that we are able to come here and present our arguments. This act is an act of injustice if it is passed in this way.

There has not been one single medical doctor stand up in the city of London to say that this project is safe or that it is unsafe. We hear rumours that they are afraid they are going to lose their operating licences. We hear rumours about school teachers who do not want to stand up because it may not look too good for them. They are afraid. The people in London are afraid. I have been the only professional to stand up and say, "Hey, look, let's take another look at this whole problem."

The dump site at Westminster township, from what I understand, does not have the licence to accept the materials that Victoria Hospital is going to produce. The material from Victoria Hospital, once you burn the garbage, will be an industrial material that is very toxic and corrosive. They are going to scrub all the gases out. They are going to have two to three tons of hydrochlorics or salts per day. They are going to have all kinds of mercury, chromium and lead. They are all going to be in the form of chlorides or sulphates.

These materials cannot be disposed of in this incinerator. How can you allow the city of London to borrow our money for this project, to tie up our money on a project which will probably not get off the ground? This project is probably dead as a result of this act being pushed so readily.

I am going to present this document as soon as possible to Mr. Keith Norton. I am going to say, "Mr. Norton, please listen to what we have to say. Meet with us. Do not just meet with the city." We have not spoken to the Ministry of the Environment at all. They really are not available. As a matter of fact, there was a public information meeting and there were two representatives from the Ministry of Environment who sat there through the whole meeting. We were told we were going to get an environmental assessment, but those two gentlemen did not clear up the public mind as to what type of assessment it would be.

After the meeting, I went to one gentleman--I will not use his name--and I said, "Could you promise an environmental assessment under the Environmental Assessment Act?" He said, "No." I said, "Why did not you clarify that when there were 200 people here?"

We would like to think that the act passed under a minority government, the Environmental Assessment Act, was passed for the benefit of the people. It is usually a minority government that really twists people's arms a bit. Unfortunately, Mr. Van Horne is absent. He used the chicken and the egg example. I would like to use the example of the cart before the horse. But I do not think they have got the cart before the horse. I think they have got the horse and cart disconnected. That is the problem.

Why are they asking for \$28 million when they do not know what to do with it? We cannot give them that right. The people will not want it. We are not organized enough yet in London, but I can guarantee you that within a couple of months there is going to be a new ball game in city hall.

We did not know about this thing. We heard rumours that they were going to pull something different, that they were going to do things differently. This is it. They brought the game to Toronto. They would not play the game in London. We were never notified. No citizen knows about this. I do not think that even one per cent of the people in London understand what is happening here today.

I shall terminate my time here. I am rather vocal and excitable, but I hope I have conveyed my message. I spent a lot of years developing myself. I work hard as a chemist. I am not the top expert in environmental chemistry, but I know the kind of questions to ask. I grew up in Sarnia, next to a foundry. I lived there for 18 years. The Ministry of the Environment really cleaned that place up. My father still lives there, and it is a pleasure to go home.

But this is a different situation. The Ministry of the Environment is not the culprit. The culprit is the city of London. I don't think Victoria Hospital is the culprit either. They are a partial victim. The notions they have expressed, but do not want to put it on paper, are their concerns about their patients who might be weak. They do not know whether there is going to be a viral or bacterial problem.

They are going to burn dead cats and dogs in this thing. This is an incinerator which is going to burn everything we produce. Every time you blow your nose, it is going to get burned. Unless we can get guarantees from the medical profession that this is safe, and the only way we are going to get that is through an environmental assessment under the Environmental Assessment Act, the city must not be given a licence to borrow that kind of money.

We want to be heard, first, and then come back here, and we will have 500 people in this room if we can get them in here. There is no question. Once the people know what is going on, there will not be just six or seven of us here; there are going to be a lot of people here. We trust the government; we do. This is why we do not bang on your door. We write letters. We do not come here.

Gentlemen, please give our concerns your attention because it is our health, and it is the health of the people in Ontario which is going to be the issue here. It is not the money.

Mr. Chairman: Mr. Soltys, we have given you a lot of latitude about what our mandate is.

Mr. Soltys: I appreciate that.

Mr. Chairman: I should just like to point out that the Legislative Assembly did carry out its mandate, which is that "Notice of an application for a private bill shall be given before it is referred to a standing committee by publishing it once a week for at least four weeks in the Ontario Gazette and in newspapers circulated in the municipality most affected, and the notice shall..." It goes on to say what it should contain.

That has been conformed with. There was publication in the London Free Press on April 28 and May 5, 12 and 19. All of the requirements have been carried out. It was advertised in the London Free Press, and certainly a good deal of the points you are covering. It should have been taken before the London city council and been cleared up prior to coming to this committee. However, we have continued to hear your submission.

Mr. Soltys: My apologies, but that is not the issue here at all.

Mr. Chairman: We have one more submission. Your name, please?

Mr. Gibson: My name is Ron Gibson. I am a member of Westminster Park Community Association. I am less technical than Joe. I do not have all the knowledge, but I have certain concerns, and I think that some of these concerns are those of our people in that area.

5:10 p.m.

I have a wife and two children. I suppose those two children are the most important asset I have had in my whole life. They are more important to me than my car and my home. One of the reasons I am here today is to express my concern for them and for the other kids I know. If we proceed with a situation that has not been properly assessed--and I think the proper way to do it is under the Environmental Assessment Act--the problem may show itself up 10, 15 or 20 years from now. I plan to live in that neighbourhood. I expect my children will grow up with me in that neighbourhood. I am concerned for their welfare and for mine and for the kids in the neighbourhood, too.

I must say this. I have never been opposed to waste incineration for the purpose of supplying energy. But I am opposed to rashes and skin diseases that could possibly happen. I am opposed to certain situations. I do not know whether these things will happen or not, but I have one or two analogies I would like to bring up. Perhaps you can correct me on this.

I work at the Ford Motor Company, and we had a problem in our plant concerning some sound deadener material, which is a fabric composed of fibreglass and so forth. We were concerned about it for our health because everybody was itching and there were problems with it. We called in the government to determine whether or not this material was safe since we were breathing it into our lungs and so forth.

The government came in and assessed it. They said: "It is not unhealthy for you. It is okay. It is within the levels of what is required." But although that was so, the person who was working with that was still miserable. Why was that person miserable? Because he was itching. He had a rash on his face. But it is still not unhealthy; it is just an irritant. The only way you could take care of that would be to bundle yourself up with gloves, coveralls and a face mask. Somehow that is not right. I am not criticizing

that particular step, but somehow it is not right that human beings should have to suffer like that in a hot climate. But that is what the government does provide for us. At least we know it is safe.

I liken that perhaps to the Environmental Protection Act as opposed to the Environmental Assessment Act. If I am correct, the latter is concerned with more than just whether the air is good. It is concerned with how it really affects us and our work. The misery of that man, the frustration, the gut-wrenching feeling all the time and the anger that builds up, and the fact that he goes home and he complains, all that is just an analogy that I think applies to this thing.

There is one other thing I would like to mention. I had thought about doing it and was told I should not. I was wondering how you would feel if I were to come in here with a canister spray bomb, put it there on the table in front of you and sprayed some air around. It would be an unmarked canister; you would not know what was in it. How would you feel about it? If I asked you to spray it on someone else, I do not think you would do it. If I said, "Well, trust me," does that mean you are going to trust me? I think you would be foolish to do so. I think you would have every right not to trust me.

Basically, that is what some people have been saying to us. A few years ago they said, "Trust us," and they built a Greenway pollution plan in 1965. From a report I had, I understand that a Darcy Dutton--I think he is an engineer with the city of London; correct me if I am wrong--said in 1968, just three years after this thing was built, people were complaining. The complaints were coming in 1976. And the smell, if you are in that area, makes you sick. It is very nauseating.

It is now 1981, 13 years later. It is almost 1982, fourteen years later and the problem still really has not been solved. I do not blame people for wanting to get rid of it. There was a mistake to have it the way it was.

Now concerning Greenway, if I could make another point, I have an article from our paper, the London Free Press, dated February 7, 1981 and it says: "Doug McTavish, the ministry's regional director"--that is of the Environment--"will tell the city's environment and transportation committee Monday he is serving notice of intent to issue a control order which would force their city to take action over Greenway."

"John Bray, the ministry's municipal abatement manager, said Friday that the city council will have two weeks to respond before McTavish issues the control order. 'It is very serious,' said Bray. 'We have made it clear repeatedly to the city they are going to have to do something about air pollution devices.'"

That is 13 years after the complaints started. I am really glad that this ministry is doing something, I really am. I also have a copy of a news item dated October 6. This says, "City council voted to direct city engineer Darcy Dutton to cancel the city's appeal of a provincial pollution control order to be heard October 19, if the hospital proceeds with its plans before that."

What concerns me is this. The city says that the ministry does not give us time. The city had since 1968. They have not done it. Their people suffered and our people suffered. I do not wish to be slanderous about it, but I would say that they have prolonged the appeal process.

There is a time factor in here. We have to get it done because of this and because of that. But there is an appeal procedure and it is not being used, as I understand by the article. I think it is invalid that they should tell me that we have to get it done because of the time element.

Mr. Chairman: Mr. Gibson, that is not a matter for this committee to rule on.

Mr. Gibson: No, I understand that, but you understand I am trying to explain how it affects the people in this environment.

Mr. Wildman: To be fair, Mr. Chairman, one of the reasons it was raised earlier for saying that we should pass this bill was that there was a deadline that the city had to meet because of the control order of the Ministry of the Environment.

Mr. Chairman: That is correct.

Mr. Wildman: Do you understand my point? A lot of people from city hall say, "Trust me," and they build houses over our landfill site. That is at Commissioner's Road Street and Adelaide, which is just a few yards from where they plan to build this incineration thing. In the middle of a dark morning there is an explosion and the house is gone. No people were hurt as far as I understand, but I would say, for the past few years the city has been entangled with law problems over the thing. I do not think they are finished, if I am not mistaken.

People in that area now have to give keys to their home to engineers so that in case they are away they can get in to check things. Now those people said, "Trust us," and we did. I think that is important. I think what is at stake here is our trust, for me anyway.

5:20 p.m.

I can speak for myself. When they come to me and say there is not going to be any pollution out of this incineration thing, when do I really find out whether that is true or not? The only way that I can know is through a proper assessment under the Environmental Assessment Act.

I was thinking the design was all finalized as far as this project goes. That is what I was led to believe. But I am glad I came here today and found out that is really not so. They say, "Trust us," and at the heart of the whole matter is the fact that history proves itself--that it has not been able to trust us in such matters

It is difficult for people when they have fears and concerns to realize that there are ways to solve those fears and concerns, and that is through assessment under the Environmental Assessment Act.

Show me where it is not going to hurt my family. Show me where it is not going to hurt the wildlife in the neighbourhood. Show me where it is not going to cause problems with congestion and traffic. Show me where it is not going to devalue my home. Show me there is no social stigma by living near a garbage plant. For something this important, people should have a say in what is going on. The people in that area are the greatest resource that area has. I would like to say that the people from that area, I feel, have been sort of ignored simply because the city has not done what it should be doing to inform the people.

In the bill here, some things really stand out to me. It is without the approval of the electors, and maybe I should even add without the concern of the electors. That is the feeling I get from it. I think the electors must have approval. I think we must have an environmental assessment, and it should be given a clean bill of health.

I welcome the incinerator. I really do, but not because someone says in a committee meeting or a town hall meeting, "It is going to be okay." I thank you. I do not mean to discredit anybody else. I realize there are problems and people are human, but I think it is an important thing for us. Thank you very much.

Mr. Scherer: If I may briefly conclude, I would first and foremost like to thank you, the chairman, and the members of the committee and members of staff and civil servants that have been brought into the committee today, on my behalf and on behalf of the individuals who are not here and sent submissions and the individuals who are here, representing both themselves and other members of their general communities.

You have been very patient with us, but as I began, this is not an uncomplicated matter and I think we have given you some idea that there are many concerns. It has been brought up here that this may not be the correct forum to discuss or understand environmental problems. This is simply enabling legislation.

The reason that we are here is that this is one of many forums, one of many avenues that individuals can pursue and as this enabling legislation is incidental to our concerns, it is certainly a valid reason that we should be here today. It has been brought up in London that if this proposed facility were operated by the use of conventional fuels, natural gas or oil, nobody would say a word. To some extent, it has been asserted by the experts that there may be less pollution in the long run from this waste from the energy plant than from some conventional fuels, and that people ironically would be willing to live with more pollution rather than less.

I think what this comes down to is that there is a real unknown here. There is a real credibility problem, not only based on assertions that were made without genuinely understandable or believable applications or examples,, but also simply from things like the fact that garbage becomes so much more exotic all the time. Who really knows what in the life of a 50-year facility is going to occur 30 years down the road?

One of Mr. Solty's questions addressed precisely this point and the response he received was that we are sure that a well-informed, knowing public will do their utmost to filter and screen their garbage so these problems do not arise. That is incredible as well because, as it stands right now, London collects newspaper on a weekly basis and many people do not even screen newspaper from their garbage. The conservationists that will go to that sort of trouble are few and far between. Many other issues like this exist.

I would conclude that if, in fact, an environmental assessment is done under the Environmental Assessment Act, it is not at all going to ensure that nothing will ever go wrong in a facility like Victoria Hospital. But it may result in a more comprehensive assessment, not only to consider what is happening today but what is happening in the future, and not only to consider the natural environment under the EPA, but also the people and their concerns. If we have impressed this upon you today, then I think we have spent our time reasonably well.

Mr. Chairman: I can assure Mr. Scherer that the committee has listened with great concern to your concerns. Very seldom do we not rule on a matter when it is presented to us, but you have certainly directed the committee to consider this matter at a future date. We will have the transcript and we will be reviewing it.

We will certainly notify everyone concerned of the date well in advance. At this point, I would ask for a motion to sit again on this matter.

Motion agreed to.

The committee adjourned at 5:28 p.m.



## STANDING COMMITTEE ON GENERAL GOVERNMENT

ANNUAL REPORTS, MINISTRY OF ENERGY  
AND ONTARIO ENERGY CORPORATION

WEDNESDAY, NOVEMBER 4, 1981

Morning Sitting



STANDING COMMITTEE ON GENERAL GOVERNMENT

CHAIRMAN: Barlow, W. W. (Cambridge PC)  
VICE-CHAIRMAN: Brandt, A. S. (Sarnia PC)  
Bryden, M. H. (Beaches-Woodbine NDP)  
Copps, S. M. (Hamilton Centre L)  
Eves, E. L. (Parry Sound PC)  
Hennessy, M. (Fort William PC)  
Kells, M. C. (Humber PC)  
McGuigan, J. F. (Kent-Elgin L)  
McKessock, R. (Grey L)  
Runciman, R. W. (Leeds PC)  
Sheppard, H. N. (Northumberland PC)  
Wildman, B. (Algoma NDP)

Substitution:

Epp, H. (Waterloo North L) for Mr. McGuigan  
Smith, S. L. (Hamilton West L) for Ms. Copps

Also taking part:

Bennett, Hon. C. F.; Minister of Municipal Affairs and Housing  
(Ottawa South PC)  
Cassidy, M. (Ottawa Centre NDP)  
Martel, E. W. (Sudbury East NDP)  
McEwen, J. E. (Frontenac-Addington L)  
Philip, E. (Etobicoke NDP)

Clerk: Nokes, F.

LEGISLATURE OF ONTARIO

STANDING COMMITTEE ON GENERAL GOVERNMENT

Wednesday, November 4, 1981

The committee met at 10:17 a.m. in committee room No. 1.

ANNUAL REPORTS, MINISTRY OF ENERGY AND  
ONTARIO ENERGY CORPORATION

Mr. Chairman: Ladies and gentlemen, I see more than a quorum and I think perhaps we had better get the business under way. We had one item of business to discuss today, as I mentioned at the last meeting, and that was the estimates of the Ministry of Municipal Affairs and Housing.

Mr. Smith: Mr. Chairman, just before that occurs I would like to move a motion.

Mr. Chairman: Mr. Smith moves that, pursuant to the petitions tabled in the Legislature on Tuesday, October 27, 1981, requesting referral to the standing committee on general government of the annual report of the Ontario Energy Corporation for the year ending December 31, 1980, and of the annual report of the Ministry of Energy for the year ending March 31, 1981, the same annual reports be brought before this committee for consideration beginning today, Wednesday, November 4, 1981, so that this committee may conduct an inquiry concerning the purchase by the Ontario Energy Corporation of 25 per cent of the outstanding common shares of Suncor Incorporated.

Mr. Smith: Mr. Chairman, I would like to speak briefly to the motion. My intention, sir, is to bring this very important matter before the committee. It is in no way, of course, to downgrade the importance of the estimates of the ministry of housing; the ministry of housing certainly is of crucial importance, especially in these difficult times, and I for one look forward to hearing and participating in the estimates discussion on the ministry of housing.

I hope that if my motion is accepted we can take a little time this morning to plan the way in which we might organize ourselves to conduct the inquiry. Then we could perhaps go on with the estimates of the minister for the remainder of the morning and possibly even the afternoon, and then, having organized ourselves to call the right witnesses and get the right information and so on, proceed with the Suncor matter at our next sitting. That is certainly what I would like to suggest.

I don't think there's any need for me to speak at length on this motion. I think we've had a fair amount of discussion on this matter generally. I might just say, however, that the Minister of Energy (Mr. Welch) commented yesterday that he will sleep better now that he knows that the civil servants are going to be getting their cheques on time.

10:20 a.m.

Interjection.

Mr. Smith: In answer to my good friend the member for Fort William (Mr. Hennessy) I might say that I would sleep better if I felt that multibillion-dollar decisions of the magnitude of the Suncor purchase were being subject to some form of scrutiny and were not taken merely at the whim of one man, the Premier (Mr. Davis) or Mr. Malcolm Rowan--in either instance--and then pushed through without even the Conservative caucus knowing of it; without even the vast majority, four fifths, of the Conservative cabinet knowing about it, and without being subject to scrutiny by the House or by anybody else.

I think, frankly, that it's more difficult to sleep at night knowing that this is the way things are done in Ontario than worrying about whether the cheques will run exactly on time. In any event, since the Treasurer (Mr. F. S. Miller) made it clear that the reason the government invoked this historically very significant closure last night was that they were worried about the cheques running on time.

I might just say that we in committee here have no such concern. We in committee would not be holding up anybody's cheque; we would not be keeping homes for the mentally retarded from being able to pay the rather meagre pittance they pay their staff nowadays; we would not be keeping them from being able to pay their staff on time. We would merely be delaying for a brief time, perhaps a few meetings of the committee, the opportunity to question closely our good friend the Minister of Municipal Affairs and Housing (Mr. Bennett) and his excellent associates.

It's very difficult for me to see that the questioning of the minister is a matter of such great urgency as to justify not discussing what is clearly the key issue of today in Ontario: the largest purchase made by the government during my time in this House. There are members who have served here longer than I; there are some members I see who have served here less time than I have. But I will tell you that it is a very significant purchase.

Not to have the matter subject to some scrutiny, not to be able to question witnesses, to question those who have opinions on the matter and find out what went into the decision. How, in heaven's name, did the province of Ontario, with all its problems in manufacturing, agriculture, energy, forestry and everything else, with all its restraint programs, with all its difficulties in hospitals and in health and education, with universities suffering and everything else--how, in heaven's name, do we suddenly go out and borrow at high interest rates close to \$1 billion to buy a share of a company when the money isn't even going to circulate in our province and the company isn't even primarily extracting its resources here? It does a lot of marketing here, but its resources are dug out of another place altogether.

It's a question that a lot of people are asking. I'm not prejudging the answer, although you know my opinion on it. But I do believe that some explanation has to be given for the very basic questions we're asking.

We're not looking for secret information that would sink the company on the stock exchange, although I point out that its shares are not traded there, except certain preference shares, which are not subject to that kind of fluctuation; nor are we looking for secret information that will tip off competitors as to where the next drill hole is going; nor are we seeking secret information that will in some way or other cause the company to have a tough time developing other sources of capital, or whatever.

We simply want to know: How did this happen? How did it occur that the Premier was sitting around one day and decided, "Wouldn't it be nice--we have no money, mind you; we have to borrow it all--but wouldn't it be nice to borrow \$650 million at high interest rates and buy a quarter of Suncor, a company that is in the business of developing oil sands in Alberta"?

He says it will return 15 per cent. We've seen nothing to back up that assertion, absolutely nothing. Let's be honest: you haven't seen anything, Mr. Chairman, to back up the assertion that it will return 15 per cent. He says it's regarded as a sound investment by certain brokerage houses. We've seen nothing to indicate that it is regarded as a sound investment. A dozen companies turned it down.

The one brokerage house that allegedly said it was a sound investment apparently said no such thing. They simply said, "If you want to buy 25 per cent of the shares, given that buying a block costs money nowadays"--and so on and so forth--"you would have to expect to pay something between \$500 million and \$750 million for the shares." That's all they said--nothing about it being a sound investment.

We want to know whether the government even considered what it's going to cost, and we want to know especially whether the government considered what alternatives were available to use that money more intelligently, as we see it, for the people of Ontario.

In any event, I don't think this has to be a lengthy inquiry. We're not going to try to bring in front of public scrutiny the kinds of private, confidential corporate information that any businessman would normally feel should be secret. But we do think some questions have to be answered as to why this purchase was made and why we were assured of its soundness and its alleged rate of return, what the real costs are and what the alternatives might have been.

We have referred the matter to this committee. We understand that closure was brought in in the House because of the concern about civil service cheques and so on. Well, there's no such concern here. This is a place where the matter can be discussed. My friends from the New Democratic Party would also like to know the basis of this, I'm sure. They tend to favour the purchase, as I understand, but that's their right and their privilege. However, they also feel it would be better to know the facts.

I tend not to favour the purchase. I'm very much against it, as is my right. But I also want to know the facts. And the people of Ontario, whether they like it or whether they don't or whatever

the public opinion polls show, surely deserve to know the basis on which this decision was made, short of revealing secret information that could damage or in some other way affect the company and/or the stock market or land speculation or whatever.

If the company is planning--I have no idea whether it is--to build a new refinery and it wants to take an option on certain land in Sarnia, I don't expect it to say where the land is, because such a thing would obviously lead to land speculation, and so on. I understand that. But I do believe there is plenty of room for all of us, including the back-benchers from the Conservative side, who were as much in the dark as I on the matter until it was announced in the House, to make a sensible and reasoned inquiry, call a few witnesses and look at whatever figures we can look at to see whether it seems to be a sound investment. There surely is nothing to hide.

So I will stop there and hope the committee will pass this motion and the minister will realize that this is in no way an attempt to suggest that his estimates are not important, because, in fact, they are important.

Mr. Chairman: Thank you, Mr. Smith. We have a motion by Mr. Smith, which is in order. Mr. Cassidy, next speaker?

Mr. Cassidy: Mr. Chairman, we are filing an amendment that would have the motion by Mr. Smith, the referral of the Ministry of Energy's report and the Ontario Energy Corporation's annual report, considered by the general government committee after the housing estimates are completed. This would be in the course of some two and a half weeks, and would in fact be at about the same time as or prior to the decision on November 20, when we are told that the agreement may be concluded.

Quite simply, we had a very clear indication last night that the government are preparing to steamroller their way over any kind of opposition and they are not prepared to share any information at all with the Legislature. I'm afraid that what would happen in this committee right now, which already has its work cut out for it, is that the steamroller would simply continue and, in the meantime, an area where it might be possible to get some action from the government--perhaps I'm being an optimist, considering the minister--would be left to languish.

Right now people are being evicted from their homes, they are being foreclosed; right now people are being forced to give up their homes and put them on the market, because they cannot keep them any longer because of the high interest rates. In Windsor there are some 3,500 homes on the market, and the last time we looked they were being sold at a rate of 100 a month. In other words, two or three years' supply is on the market in Windsor and some 600 homes have been foreclosed.

In Mississauga something over half of the assisted home ownership program homes have now been given back to the Canada Mortgage and Housing Corporation, and in Metropolitan Toronto and some of the surrounding areas the price of a home has gone up by

33 per cent--more in some cases--of an average bungalow just in the course of the last 12 months.

10:30 a.m.

We have the report the federal people have brought down and that the Minister of Municipal Affairs and Housing has endorsed, where it indicates that Ontario's figures correspond to that, and there are 35,000 people in the province who risk losing their homes right now because of the high interest rates. As my colleague and friend from Scarborough West pointed out in the Legislature yesterday, people on very low incomes are now being compelled to pay something over \$200 a month just to have a room and a shared kitchen in rooming houses and boarding houses in Metropolitan Toronto.

There is no rental housing being built. Construction and sales of new homes have almost dried up. There are jobs being lost in this particular industry. The dream of having a home of your own has become something of the past, and it seems to me, Mr. Chairman, that this committee had better at least try to see whether we can get some action from the government on the crucial areas of housing and the high interest rates and what they are doing to families and individuals across the province.

Subsequently we can go back and, maybe after tempers have cooled a bit from last night, get some more forthright answers from the government in terms of what the facts and figures and the nuts and bolts of the Suncor deal actually were. As I have indicated in speaking publicly elsewhere, Suncor is a corporation with 2,000 jobs in Ontario. It has a major refinery down in Sarnia. All its distribution network is in Ontario and in Quebec so it is an eastern Canadian company in term of retail marketing.

The management of the company has been stodgy. The last innovative thing they did was the Great Canadian Oil Sands plant in western Canada in 1964, and I do not think they have had their heads out of the mud since then. There is, therefore, a potential for improving the profits of the company because the management has not been as bright or as aggressive as that of some of the other multinational corporations operating here in Canada.

There are a number of things that can probably be said on both sides of the deal, but I would suspect in the wake of the quite deliberate decision of the government last night to invoke closure for the first time since 1874 that this committee would simply be hammering its head against a brick wall if the Conservative members were to agree with the opposition leader's motion and if the committee were to try to investigate the Suncor affair right now.

I think there is justification for letting this sit for a couple of weeks, letting the government realize that we have, in fact, moved into a new era in this province in the last couple of years in terms of government involvement in the private sector. I know the Minister of Municipal Affairs and Housing (Mr. Bennett) is deeply uneasy about the pinko socialistic tendency his colleagues have been showing. The fact is that we now have major

government involvement in the private sector in Ontario. I am sure that the minister will talk about those pinko tendencies of his colleagues later in the session. Maybe.

My point is that we have to develop a means by which the Legislature can come to grips with what is happening in terms of government intervention. The normal commercial, private sector rules of confidentiality are going to have to be bent or are going to have to be changed in some way, otherwise the Legislature is simply going to be kept on the outside of many of the major economic initiatives of whichever party happens to be in government. That is not good, whether New Democrats, Conservatives or Liberals happen to be in power. But in the present charged atmosphere, we are not going to get that kind of reconsideration and sober reflection from the government.

I suggest that the problems of housing are urgent, that at least we can ventilate them here and we can look for some answers. We can look for some action from the government, particularly with respect to those tens of thousands of people who right now are at risk of losing their homes. It seems to me, Mr. Chairman, that the risk of losing one's home is a good deal more severe even than the risk people were running that they might not have their paycheques for a few days, which is what we faced with the delay of interim supply.

Therefore, I would urge the members of the committee to accept the amendment we are putting forward, not to divert the work of the committee right now, but to bring forward the Suncor inquiry, the energy--

Clerk of the Committee: Mr. Cassidy, would you be kind enough to give it to one of your members, because you cannot make a motion.

Mr. Cassidy: I have not made the motion. My colleague is going to make it.

Clerk of the Committee: Oh, he is going to make it. I am sorry. I thought you were making it now.

Mr. Cassidy: I would urge the members, though, to support the motion of the member for Etobicoke (Mr. Philip) and to let the energy inquiry come after the housing estimates and not before.

Mr. Chairman: Excuse me, the members from the New Democratic Party are Mr. Wildman and--

Clerk of the Committee: Mr. Wildman has it. I am sorry, Mr. Cassidy, I thought you were going to go on with the motion.

Mr. Smith: May I just make a brief comment?

Mr. Chairman: Mr. Epp is the next speaker.

Mr. Epp: I will let Dr. Smith speak and then I will speak a little later.

Mr. Chairman: All right. Mr. Wildman, are you putting the amendment?

Mr. Wildman moves an amendment that the committee debate the referral after the completion of the Ministry of Municipal Affairs and Housing estimates.

Mr. Smith: I would just briefly say that amendment would be quite acceptable to us, provided it would be agreeable to our friends in the other party that a steering committee would now be set up to plan the conduct of the inquiry at that time, so that when the housing estimates were finished we were all set to get going and did not have to start then to discuss how we are going to go about it. I would have no objection at all as long as we could set up the steering committee and work on the planning of the inquiry, so that once the housing estimates were dealt with we would know exactly how to proceed. If that is acceptable to the New Democrats, then I would find their amendment quite acceptable to my motion.

Mr. Philip: Mr. Chairman, as to the steering committee, I think that is a reasonable suggestion. I have moved that in other committees. Unfortunately, in the other committees I have moved it, the Conservatives voted against the Liberals and the New Democrats on the concept of the steering committee. But I really feel that, if we are going to deal with this matter in a matter of 15 hours after we have had 15 hours of debate in this committee on housing estimates, it makes reasonable sense to have a steering committee that will deal with the preparations for this. Otherwise, we are going to waste a great deal of the time of this committee. I think it is an excellent suggestion that Dr. Smith has made.

Mr. Smith: If Mr. Wildman could incorporate into his motion that the steering committee be set up in the meantime to plan the conduct of the Suncor investigation, then I could accept that motion fully.

Mr. Chairman: Mr. Wildman moves that the committee set up a steering committee to plan the schedule of the committee to deal with Suncor and that each party has one member represented on the steering committee.

Is there any further discussion on the amendment?

Mr. Epp: Mr. Chairman, I am pleased to be able to speak in support of the amendment to the original motion. I believe that Dr. Smith's motion very clearly brings out the importance of this particular matter. As we know, and others have said, the expenditure of \$650 million by the government was made by a very small group of people--the Premier (Mr. Davis), the Minister of Industry and Tourism (Mr. Grossman), the Treasurer (Mr. F. S. Miller) and the Minister of Energy (Mr. Welch) were the only four elected members of cabinet who were aware of this very important purchase. We are told that not even the House leader of the Conservative Party was aware of it or any other cabinet ministers, and it is only proper that the members of this Legislature should

have some of the important information the select group within the cabinet had in order to make this decision.

Obviously, an expenditure of this nature means additional taxation that the people of this province are going to have to bear and I can't see for a moment why we are not entitled to get some of that information Dr. Smith has asked for. We all know that at least 12 companies turned down the purchase of Suncor at one time or another. If the government rushes in at a point where other companies thought it was not viable, I find that somewhat questionable, because in my business, if one is trying to sell something and everybody else turns it down and somebody rushes in to purchase something, I wonder why they rush in all of a sudden.

So I think there is information that this Legislature is entitled to--we are obviously not looking for the very confidential information that might lead other competitors to have information they otherwise would not have. The suggestion that we have a steering committee made up of three members to plan for this matter to come before the committee in about three or four weeks--I understand we will not be sitting next week on November 11--or two or three weeks hence is an excellent suggestion, and I would be pleased to support it.

10:40 a.m.

Ms. Bryden: At the outset of the sittings of this committee this session, I suggested we should have a steering committee as part of our committee operations as a regular thing to plan the work. These two petitions that were tabled last week were still in limbo as to when they would be considered, and I am glad we are now recommending that they be considered at a certain date. I certainly support the idea of a steering committee. Later on, I would also like to suggest that a steering committee deal with the time allocation of the various votes for the estimates of the Ministry of Municipal Affairs and Housing, because it is such a large ministry.

We only have so many hours and I think we should decide that so many hours will be given to each vote. Otherwise we may spend all our time on one or two votes and never get to the others. Most committees in the past have done this kind of informal scheduling of the hours. After this motion is voted on, and I hope passed, we should also consider asking the steering committee to produce recommended time allocations for the various votes in the estimates of the Ministry of Municipal Affairs and Housing.

Mr. Eves: I think we should proceed to deal with the very important matter of the Ministry of Municipal Affairs and Housing estimates, as indicated by Mr. Cassidy here this morning. If you will look at the agenda for this committee, the next estimates to be dealt with are those of the Ministry of Treasury and Economics and the opposition parties can bring up the matter of Suncor there if they so choose. That is roughly the same time frame as Mr. Cassidy is talking about in any event.

I do not think it is proper for us to decide here today what we are going to be doing two and a half weeks from now. Mr. Welch

has indicated that more information will be forthcoming with respect to Suncor after the closing of the transaction. Anybody who has ever bought or sold a business, no matter how small or large, will appreciate the fact that to release further information before the completion of the transaction could well be prejudicial to the transaction itself. If the information released by the minister after the transaction closes is not satisfactory, the official opposition will have ample opportunity at that time to raise further questions in the House or in the committee as they see fit.

Mr. Philip: This is the usual sidetracking the Conservatives have been using since they got their majority. If the member had been a member in the last House, where some very useful investigations by different committees took place, he would realize that estimates are incapable of dealing with some of these very complex matters. The proposal by Dr. Smith is for a steering committee that would work in the next two or three weeks to set guidelines to deal with some documents the government feels should remain confidential for various contract reasons. Those things cannot be done in the open, loose forum of estimates.

In the inquiry that was done into the Re-Mor matter, using a steering committee of three people--a representative of each of the parties, plus the chairman--we were able to set down some very useful guidelines that were agreeable to all parties. Part of the motivation for the Conservatives agreeing may have been the minority government situation.

None the less, one of the chief concerns the government has constantly stated is that there are certain documents that for contract and other reasons cannot be made public. Otherwise, they will be in breach of contract or may hurt the very company in which they are purchasing 25 per cent. In the Re-Mor inquiry, we recognized for different reasons the need for certain kinds of confidentiality. Therefore, what is being proposed with the steering committee allows us to deal with that very issue and would allow the subcommittee to see certain documents.

Hopefully, we would be able to negotiate with the government to do this. It would allow us to see which documents could become public and which, for various reasons, might require to be handled in a more sensitive manner. It is the only way in which we can deal with this matter.

What you are doing in proposing that it be dealt with in the estimates is simply scuttling the proposal and you know that, I am sure. If you do not know that, I suggest you check with some of your colleagues who have been around here for some time.

Mr. Hennessy: Mr. Chairman, the honourable member of the opposition party mentioned a payroll for the employees of the government. I wish he would have thought of that last night. He is so concerned today; that is what makes me wonder. You tied up \$128 million and possibly the third party came out and mentioned that there is a loss of homes. I am amazed that today he is worried about the loss of homes. Last night he was not worried about the loss of homes if a person was waiting for their paycheque to pay

debts they owe. They were not treating the employees that well, so I cannot see the crocodile tears this morning.

Mr. Epp: Mr. Chairman, I just want to speak to that for a moment. It really does not deserve an answer, but when you are talking about an expenditure of \$7 billion and you give this Legislature--

Mr. Brandt: How much? Seven billion?

Mr. Laughren: That was in estimates.

Mr. Brandt: Oh, I thought you were talking about the Suncor purchase.

Mr. Epp: No, \$7 billion and you give the Legislature of Ontario, 125 elected members, 90 minutes to debate it and you bring it in on October 30 when you need the money for November 1. I do not think that is being very responsible.

Mr. Hennessy: Mr. Chairman, I did not interrupt the other member and I do not know why they are getting so upset. You had the opportunity last night--

Mr. Chairman: Order, Mr. Hennessy, please.

Mr. Wildman: Mr. Chairman, I would hope the comments that were made by the last speaker from the Conservative side, and his colleague Mr. Eves, seem, as an aside, to have more to do with what was happening last night. Perhaps we do need a bit of a cooling off period.

What I was going to say is that I hope they do not represent an opinion that has been taken by the Conservative Party that they would not even support a most reasonable motion, which has been proposed as an amendment, that we deal with the estimates before this committee.

They are dealing with very important matters that affect the residents of this province, and that we set up a steering committee--I fail to see how there could be any argument against that--to order the business of this committee so that we can deal with the many matters that are before the committee in a rational manner.

I would hope the most unfortunate precedent that was set last night is not going to be continued in a committee. I would hope the members on the government side would see that, in proposing the amendment and in its acceptance by the official opposition, the opposition parties here in this committee are attempting to approach this whole matter in a most reasonable way, without rancour, to try to ensure this committee is able to operate in a fashion which would make it possible for us to deal with the matters before us with some dignity, and to ensure that we do not have the continuing problems we faced in the last few days.

I have yet to hear any reasonable argument against the

setting up of a steering committee to order the business of a committee through discussion and negotiation among the three parties represented on the committee. I would hope, Mr. Chairman, that the speakers you recognize direct themselves to the question before us, that is the amendment to the motion that was put by Mr. Smith.

Mr. Runciman: Mr. Chairman, we have already dealt with the issue of a steering committee and I think it was our initial meeting when Ms. Bryden brought the matter up in terms of establishing a steering committee. It was debated by this committee and rejected.

10:50 a.m.

Speaking to the amendment in the original motion, I have a great deal of sympathy for the positions taken by the opposition members. As an individual member, I would personally like to learn a great deal more about the justification for the acquisition of 25 per cent of Suncor. There are a lot of questions being asked in my riding and a lot of questions being asked across the province about an expenditure of this magnitude. I think this Legislature should be involved as much as possible in that type of decision, in that type of an expenditure.

I know this committee has a significant work schedule ahead of it. We are dealing with the Ministry of Municipal Affairs and Housing estimates now and I know we have a number of other estimates on our slate. I would like to know, if the motion and the amendment are rejected today, when can we expect to deal with this matter?

Mr. Chairman: It is up to our committee to decide our own order of business. We have the other two sets of estimates after this. We have some municipal bills, private bills, that we must deal with at some time, too. At this time the only answer I can give you to that is we are the ones who set our own destiny.

Mr. Runciman: My personal view is we should deal with it before the end of this fall session.

Mr. Brandt: Could that not quite appropriately be dealt with during the estimates of Treasury and Economics which follow the estimates of Municipal Affairs and Housing?

Mr. Smith: My friend the member for Sarnia asked a fair question. The problem there is that, in the estimates of the Treasurer, there is nothing that would, for instance, compel Malcolm Rowan to appear. There is nothing that would compel anybody from McLeod Young Weir to appear or, if it were the wish of the steering committee, that Malcolm Rowan or somebody else, Tom Kierans or somebody, should come.

The only people we would have access to in Treasury estimates--there will be a time limit, but that may not be as significant as the other concerns--would be civil servants working in that ministry. We would not be able to call people from the Ministry of Energy, for instance. Yet this is the sort of thing

that transcends ministerial boundaries because you need opinion from Energy, you may need opinion from Revenue, you may need opinion from Treasury. You may need people from the Ontario Energy Corporation and possibly outside witnesses as well.

I do not say we have plans to call any such people, but it is conceivable that you might want somebody to give an opinion on the impact of the national energy program which Mr. Welch, for instance, feels is the main justification for the purchase.

You might want somebody to come in. I suspect your party might well want somebody to come in and explain how the national energy program adds lustre to these companies the more they are Canadian-owned, and exactly what that means in terms of dollars and exploration activity. You could not do that in the estimates of the Treasury.

I say sincerely to my friend from Sarnia, if you genuinely want the matter to be discussed honestly, as I think your colleague has said he does want it discussed--and I think he is right--Treasury estimates are not a good reason for not going ahead with the motion.

You could not do it properly in Treasury estimates. You would have Mr. Miller there. I am not trying to be political, but Mr. Miller's views are a little different, let us face it, and it would be difficult really to have the matter looked into the way I think the committee would wish.

If people are concerned about the delay of estimates, I might point out that the Natural Resources estimates were moved to the standing committee on regulations and other statutory instruments. There are a number of other committees that are not hearing estimates just yet to which estimates could be moved if later estimates are what is worrying the members of the committee.

I simply say, frankly, that I do not think any of us benefit much from the closure business and the filibuster business. I do not think it makes us look terribly good. I think the issue is bigger than our political differences and, if you do not want people to get the impression you are deliberately trying to prevent the matter from being looked at, then, having prevented the discussion in the House, it seems to me we really have no option but to permit it in committee.

If you block it in committee, as well, people will know it was not the paycheques that you were worrying about, but the discussion. I think you ought to consider the excellent comments made by the previous Conservative speaker--I am sorry, I forget his riding.

Mr. Runciman: Leeds.

Mr. Smith: I think the member for Leeds has made an excellent point, and I honestly believe the motion before us is the most reasonable way this matter can be tackled, with a little cooling off period, a chance to order our own business and with a chance for all people to ask the pertinent questions.

Ms. Bryden: Mr. Chairman, I just want to add that I think as members of this committee we cannot ignore our responsibility to deal with referrals from the House to us. Under the rules any 20 members can refer an item. We have two referrals before us and we have not yet scheduled any hearings to deal with those referrals.

I think it is the right of members of the Legislature to make referrals on urgent issues. Therefore, we must respond to those referrals and schedule some hearings on them. We cannot just say that it can all be dealt with in estimates. Obviously, the device implies that the estimates time is not adequate or the estimates procedure is not adequate, that you need special hearing on an annual report. I think we must respond to that by setting up a committee that will schedule when we can deal with those reports, unless they are to be dead letters.

Mr. Martel: Can I appeal to the Conservative members? Almost an hour has gone by now. I know some of you have opposed steering committees, but there is tremendous value to steering committees. You can still always come back. You have got the weight of numbers here to prevent anything unless there is agreement struck. You then get on with the business that is before you.

We have been haggling for an hour now. You have not reached an agreement. A steering committee could work out all those details for you. Each party appoints one. If you cannot get consensus, you can still use numbers to block it from proceeding. What you are doing is tying up the work.

I have some fear about trying to strike another committee at this time to consider estimates because we spent two weeks trying to get the last set of estimates set up in a different committee, but you are wasting your time here simply because you are going to argue back and forth.

It would be a lot more advantageous to everyone to work out the details. If you cannot work them out, you can then block it, but you should at least be agreeing to an amendment whereby you sit down with the other parties and try to work it out. It was used constantly during the five years of minority situation to reach a consensus as to the way the order of business would run.

It works much better when only three of you are trying to sort out how you are going to attack a particular job submitted to a committee. As my colleague says, this has been submitted to you by the House under the proceedings of the Legislature, which are a new set of rules which we are working with only in the last four or five years; but the referral is here, it is before you.

That business somehow has to be completed and you are just not going to get it done if you think you can haggle back and forth like this because you are going to be using up hours of Housing estimates, which is not to anyone's advantage, when most of this could be sorted out amongst a committee of three members with the right when they come back to say, "There was no agreement," or, "This is the agreement," or, "While the other two parties want it, we oppose it and we have blocked it."

It seems to me a steering committee is the tool whereby you do not waste time and you order your own business. The three House leaders do not want to try to order business. That should be left entirely to the committees to order their business. You have to set up a mechanism to order that business. It is much more to your advantage to do it in a small number and sort of reach a consensus.

You can always use the numbers game, but it does not work in the final analysis to get business done, either, because the haggling that goes on takes up more time than actually conducting the business. I would urge you to accept an amendment which sends it to a steering committee and get on with the business of considering the Ministry of Municipal Affairs and Housing estimates.

Mr. Sheppard: I would like to hear a little more discussion down the road on Suncor, but I think we have the Minister of Municipal Affairs and Housing here and I would suggest that we get on with these estimates.

11 a.m.

Mr. Wildman: All right, let's have a vote on the amendment.

Mr. Smith: I think that is what the amendment says.

Mr. Chairman: Subject to the committee's approval, one more speaker, Mr. Philip, has asked for the floor.

Mr. Philip: That is precisely what the motion says. I hope that as a quick way of getting on with the business of the estimates of the ministry of housing, you vote for both our amendment to Dr. Smith's motion and the motion.

I would like simply to point out to some of the members who seem to have some kind of fear about steering committees for whatever irrational reason, that Conservative members in the past House recognized the value of the steering committees even though in that House the steering committee would consist of a member of each party plus the chairman, and the chairman in many cases was an opposition member.

What you have here is a motion that gives you two Conservatives, one Liberal and one New Democrat, because the chairman, even though he must remain impartial, still comes from your party, and so in a tight vote, it would be split. In any case whatever decision the subcommittee makes has to be ratified by the whole committee and you have the numbers here to block, stop or vote down any recommendation that the steering committee makes. By voting for a steering committee I say to you that you are in no way losing control of this committee. You have the numbers. You can simply vote against any recommendation that the steering committee makes.

All you are trying to do by setting up a steering committee is to arrive at some kind of consensus to think through things so

that we don't spend hours of wrangling in a committee, and indeed do a lot of the kind of silly sorts of organizational things that I am sure you as members do not want to spend your time doing and that it is much easier to do in a committee of four people with our chairman and a member of each of the parties than with the whole committee.

So I urge you to consider it seriously. You are not giving up any power to the opposition by voting for the steering committee. What you are doing is you making this committee run more efficiently and I hope you will vote for it.

Mr. Wildman: Mr. Chairman, on a point of order: I would hope that there is no misunderstanding. The import of the amendment is that we can go ahead with the Housing estimates at this time. If you vote for the amendment, you are voting for going ahead with the Housing estimates.

Mr. Chairman: Fine. I was just going to clarify the amendment. The amendment is just exactly as Mr. Wildman has said. The amendment includes two things: (1) that we proceed with the ministry of housing estimates, and (2) that the Suncor matter be referred to a steering committee.

Clerk of the Committee: No, the steering committee would be to order the business--

Mr. Wildman: And that Suncor be dealt with after the completion of the Housing estimates.

Mr. Smith: That's right, that Suncor be dealt with as the next item after the Housing estimates, but that in the meantime the steering committee plan the way in which the Suncor matter will be dealt with.

Mr. Chairman: We are all clear on the amendment and we are going to vote now on the amendment. All those in favour of the amendment?

Mr. Philip: It should be pointed out that I don't have a vote here.

Mr. Chairman: Those opposed to the amendment?

Mr. Wildman: So I am to understand that they don't want to go ahead with the ministry of housing estimates.

Mr. Chairman: As I understand, right at the moment there is a tie.

Mr. Runciman, I take it you are abstaining.

Mr. Philip: Mr. Chairman, has everyone on the list voted?

Mr. Chairman: Yes, they are on the committee. We have been checking this out as we have gone along.

I understand, Mr. Runciman, you are abstaining and it is

therefore up to me to break the tie, and having listened to the debate from both sides, I am inclined to vote against the amendment.

Motion negated.

Mr. Smith: It is closure in committee as well.

Mr. Martel: Can you please tell me why?

Mr. Smith: There is not the slightest reason.

Mr. Wildman: Mr. Chairman, can you help me? Does this mean now that we have defeated the amendment, that we have to deal with the original motion?

Mr. Chairman: Oh, right. Yes, I am sorry. We have to deal with the original motion. The amendment has been debated. Thank you, Mr. Wildman.

Mr. Chairman: Those in favour of the original motion? Those opposed?

Motion negated.

Mr. Smith: There is not a soul in Ontario, Mr. Chairman, who will now believe that closure was introduced to save the pay cheques of civil servants. They will now see that it was introduced to keep the Suncor matter from being discussed by any elected representatives in Ontario. If last night was a black day in this Legislature, today has to be the blackest that I have seen in six years.

Why in heaven's name shouldn't this committee or some committee of the Legislature be permitted to examine this major expenditure on the part of the province of Ontario of this money of the taxpayers of this province? You said last night you had to have closure because the poor people were waiting for their cheques. What is your excuse today? It is obvious the truth is you had closure because you don't want to discuss a vital issue and you would rather hide the facts from the people and treat the Legislature of Ontario as though it were a useless appendage to the Premier, which is simply to sit around to provide an audience for the Premier when he wishes to announce things, but with no rights whatever to examine things on behalf of the citizens of Ontario. This is a very black day for the legislative history of Ontario.

Mr. Chairman: We would like to proceed with the business of the day.

Mr. Philip: Mr. Chairman, I had thought at the time the coverup was done on Re-Mor, that perhaps it was because the government felt that certain ex-cabinet ministers were involved. Obviously then it isn't just a fear of scandal. This party, now they have their majority, are also afraid of people not only looking at the dirty linen of the Conservative Party as in the Re-Mor case, but they are also afraid of looking at the policies

of the Conservative Party. I think that is disgraceful.

Mr. Martel: Mr. Chairman, maybe you might tell me, since this, under standing rule 33(b), was submitted to this committee for consideration, how you intend as the chairman now to proceed with this particular item which has been referred to you?

Mr. Chairman: It will have to be dealt with in due course in committee.

Mr. Martel: What do you mean in due course?

Mr. Chairman: I think perhaps after we have the ministry of housing. At a reasonable time, we will perhaps discuss it--

Mr. Martel: Tell us your alternative?

Mr. Brandt: We have an opportunity to--

Mr. Martel: That is why I asked how the committee intends to dispose of this item.

Mr. Brandt: All right. Just be patient, we will get there.

Mr. Eves: Mr. Chairman, if I may direct myself through you to the honourable gentlemen, I have a proposal which I thought I had touched in in my original comment on the amendment. That is that I propose that the report of the Ontario Energy Corporation be dealt with after the estimates of this committee as they are now scheduled.

Mr. Philip: You just voted against it.

Mr. Eves: We have all the estimates before this committee, not just the Ministry of Municipal Affairs and Housing. I think after the proper business of this committee that is now on the agenda to be dealt with--

Mr. Smith: Transportation estimates are more important than Suncor. The transportation estimates can be moved to any other committee of this House.

Mr. Eves: I am not debating the merits of each individual estimates--

Mr. Philip: How many hours do we have, 27 hours?

Mr. Smith: Come on, you mean after Christmas.

Mr. Wildman: On a point of order, Mr. Chairman, how many hours of estimates do we have before the committee?

Mr. Brandt: Twenty-five.

Mr. Wildman: What fate does that lead us to?

Mr. Brandt: In addition to housing.

Mr. Wildman: In addition to housing and we have 15 for Housing.

Mr. Chairman: We have 13 for Municipal Affairs and Housing, 13 for Treasury, and 12 for Transportation and Communications.

Mr. Wildman: What date does that lead us to?

Mr. Chairman: We sit once a week. Six or seven hours; we sit morning and afternoon.

Mr. Wildman: So we will not be on it before Christmas--

Mr. Smith: Until after Christmas.

Mr. Chairman: I doubt very much if it would be until--

Mr. Smith: Until after Christmas. Isn't that marvelous? You consider that a sensible suggestion, that this matter be considered some time in the new year. That is considered a sensible suggestion when any other committee of this House could take these other estimates very easily. This small matter of the Suncor purchase is considered by you to be much less important than carrying on with estimates of any and all ministries? Other estimates could easily be sent to other committees and you know that. You are not fooling anybody. This is closure in committee.

11:10 a.m.

Mr. Chairman: Dr. Smith, it is not up to this committee to order the estimates to another committee.

Mr. Smith: You order this business and then it will be up the House leaders to find another place for the other estimates, you know that. You are not fooling anybody.

Mr. Epp: Are you saying that you are prepared to negotiate? Are you saying you are prepared, as chairman of this committee, to negotiate the estimates of the other two ministries being sent to another committee? You were implying that by saying that it was not this committee that could do that. You were implying that you were prepared to do it but that this committee was not in a position to unilaterally do it.

Mr. Smith: On a point of order: This committee can recommend that the other estimates be sent elsewhere. It is fully within their capacity to make a recommendation. Make no mistake about it, Mr. Chairman, we are either going to look at Suncor or we are not. It has been referred to this committee. If this committee chooses not to look at Suncor then the transparency of the crocodile tears yesterday about the poor civil servants not getting their cheques will be evident to everyone. It will be obvious that it is the facts you do not want seen in public scrutiny.

Mr. Martel: I will take another run at it because you see I listened carefully to what my friend says. My friend

calculated the number of hours and the Wednesdays available between now and the time the House recesses and in fact--if my quick mathematics are right--it takes us to the end. If it takes us to the end, and that means that there is no opportunity to discuss it. Are you prepared to try to find alternative sitting hours?

That is the value of the steering committee. You might say my recommendation or my amendment will resolve it, and unless you have worked it out your amendment does not resolve a thing. All it does is take you neatly to the end of the time presently before us. If you have too much on your platter to cope with the matter then you are not resolving the issue at all.

That is why I suggested the steering committee to you. I can never understand the fear of this committee and the Tory gang about steering committees to determine how you will proceed with your work. All it does is expedite the work of every committee. Maybe you should try to understand it. That is all a steering committee does. It gets you out of this interminable argument because you see you move the proposal forward. You say, "We have the solution." You have not even looked at the solution if you do not have the hours before you.

It seems to me if you want to get out of this mess, what you do is appoint someone to work it out. We have three people as House leaders who spent almost all week just working out the details. You think they can come in willy-nilly and say, "I am moving an amendment and that is it," and it is going to carry and it is going to resolve it. It does not work that way.

There are hours under the rules of the Legislature--certain hours for certain estimates for certain committees. To try to do it willy-nilly does not work. Surely, it makes a lot more sense to try to work it out. You always have the numbers to carry what you want anyway. That is why I cannot understand why you are so obstinate in refusing to sit down with some staff, with your chairman, with two members--and a member of your own--to try to sort it out adequately because it does not work just by referral.

I shudder when I hear my friend say, "Transfer a set of estimates somewhere else." We are stuck for time now. I do not know where you are spending it. It took over two full weeks of work with ministers, including the Premier changing the order in which he was going to appear before a standing committee. Do you understand that took two weeks of negotiating trying to work out every detail. You have to get back to every ministry to see if that minister had been able to get his staff to prepare the material for the minister and what they are going to give to the committee.

Steering committees just alleviate all of this nonsense because you have to double check to see if what you are doing is workable. You do not even want to do that. That is what I cannot understand. The steering committee cannot force you to do something you do not want to do. Usually the steering committee is done by consensus and you work out all the details and you get on

with the business. I cannot understand what you are about. I really cannot.

If the whole House operated the way committees were working now, if that is the way your House leader worked with the two other House leaders I think the place would be chaos. Those of us who were here when our friend Eric Winkler was the House leader for the government know the type of chaos that can go on if you do not, in fact, plan out your work carefully. That is all a steering committee is about.

If you want to move a useful resolution, a motion, I say to my friend why do you not just move that you will strike a steering committee and they will try to work out the details and you will report back next week, and you get on with the business before you. You do not give a thing away. What do you think you are giving away, Andy, tell me so I will understand. Maybe I am obtuse but maybe you could tell me.

Mr. Smith: They do not want to.

Mr. Chairman: We have to give the best latitude as possible here without--

Mr. Martel: Mr. Speaker, we are an hour and 15 minutes into the estimates. There has not been a word said--

Mr. Wildman: Mr. Chairman, we have voted down an amendment which would have allowed us to order our business outside of the hours allotted for estimates. They voted that down. They voted down an amendment which said we could proceed with the estimates of the Ministry of Municipal Affairs and Housing.

I suppose that leaves us in a position as a whole committee where we now have to order our business. So we are going to sit here wasting the time of the estimates of the ministry of housing trying to determine as a whole group when we are going to deal with the matter that is before the committee instead of referring it outside. I do not see any reason for this, but apparently the government members do not want to deal with the estimates in the ministry of housing.

Mr. Smith: They do not want to deal with Suncor, that is all.

Mr. Wildman: Mr. Chairman, we have voted on the amendment and the main motion.

Ms. Bryden: To deal with the question of Suncor at a specific time, but we still have before this committee the ordering of our business. As has been said, we cannot spend all the committee time on that. I would like to move that a steering committee of one member from each party and the chairman be set up to recommend to the committee time allocations for each vote of all the estimates which come before this committee, and to schedule time when the committee will deal with the two referrals to the committee made on October 27 because that is what is on our agenda at the moment.

That committee can go to the House leaders, if it is necessary to transfer us and that is really what we need a recommendation on. We have to look at the things that are on our plate now, and we have to deal with how they are to be handled. I would like to move that.

Interjection.

Ms. Bryden: No, it is not.

Mr. Chairman: I do not know that there is anything different about that motion, Ms. Bryden.

Ms. Bryden: Dealing with the time allocations and those two referrals.

Mr. Chairman: I had a question raised; Mr. Eves was yours a motion? I did not quite frankly take it as a motion and I am sorry if it was intended that way.

Mr. Brandt: Ms. Bryden's motion could appropriately be considered an amendment to the main motion of Mr. Eves.

Mr. Chairman: I am sorry, Mr. Eves, that is my oversight. I did not recognize yours as a motion. I will have to deal with Ms. Bryden's motion, which is that a steering committee of one member of each party and the chairman be set up to recommend to the committee time allocations on each vote of all the estimates which come before this committee and to schedule time when the committee will deal with two referrals to the committee made on October 27. Any speakers to that motion?

Mr. Epp: I would like some kind of clarification on that. Does that motion accommodate the members of the steering committee deciding when the Suncor matter could be dealt with by this committee?

Ms. Bryden: It will enable the sun to shine on Suncor but at the moment the sun is not being allowed to shine.

Mr. Epp: And also to negotiate with the House leaders the opportunity of having some of the estimates dealt with by other committees?

Mr. Chairman: It does not say that. Let me spell that out.

Mr. Epp: I am just wondering whether the latitude is there. I do not want to be arguing about this later and somebody says, "Look, they did not have the latitude to do that."

Clerk of the Committee: Do you want to hear it again, then?

11:20 a.m.

Mr. Epp: I think that is important.

Clerk of the Committee: Would you not think that a steering committee of one member from each party and the chairman be set up to recommend to the committee time allocations for each vote of the estimates which come before the committee and to schedule time when the committee will deal with the two referrals to the committee made on October 27, 1981? They are both here if anyone wants them.

Mr. Chairman: Mr. Epp is suggesting that perhaps we do not have the latitude.

Mr. Epp: Yes, and I would like to have that latitude incorporated in the motion, Mr. Chairman, the necessity of making an amendment to it. Ms. Bryden has accepted that latitude, if I understand her correctly, and if we could incorporate that in the motion it would be helpful.

Mr. Chairman: That the time constraints be referred to the House leaders for--

Mr. Epp: That's right, that the chairman together with the three members have the authority to negotiate with the House leaders a rearrangement of estimates for this committee if necessary.

Mr. Brandt: I would hope that the motion with respect to the steering committee would be defeated. Another motion can be put by my colleague Mr. Eves, suggesting, as we did earlier, that the estimates be completed by this committee as they have been set forward at this point. There is still the opportunity to adjust the time frames with reference to the responsibilities before this committee and we can deal with that quite appropriately at the end of our discussion on the three main matters we have before us, namely the estimates of the Ministry of Municipal Affairs and Housing, the Ministry of Treasury and Economics, and the Ministry of Transportation and Communications.

Mr. Smith: In January?

Ms. Bryden: The day before Christmas.

Mr. Smith: After the House is no longer in session.

Mr. Brandt: If I could finish. I believe that particular time frame is negotiable. We will take a look at it, and perhaps we can move towards something of the order you are suggesting. I would say to the members of the opposition--

Mr. Smith: Nonsense.

Mr. Brandt: Do you want to listen? I listened very carefully while you were speaking without interruption.

Mr. Smith: I did not suggest anything as ridiculous as leaving the whole thing until January.

Mr. Brandt: With the greatest of respect, Mr. Smith,

there are a lot of things you say which I think are ridiculous. But I listen.

Mr. Smith: I am sure you do. I have not suggested we have one after the House is no longer in session.

Mr. Brandt: I will stop there, I will leave it at that.

Mr. Wildman: Mr. Chairman, on a point of order: Am I right in understanding that this committee does not have the ability, the competence to change the hours allocated for various estimates, and that this committee does not have the right to sit when the House is not in session? If those two things are correct, what is being suggested by the Conservative Party is completely unworkable.

Mr. Chairman: I think you are right on both points.

Mr. Martel: Again, my friend overlooks hours that are designated by the Legislature for estimates. In fact they have been pared right down to the wall now. The total number of hours have been pared by well over 100 hours to accommodate the late sitting that started. There is no choice of hours, I can assure you. It was your government that decided to sit. It did not sit long enough to complete the business as ordered by the rules of the House, and it has compromised to try to make that adjustment.

The only thing you are saying is that at the end of the estimates you will start to sit, but the end of the estimates will not come, as they now stand, until almost the last Wednesday that the House is going to sit. When are you going to come back to consider the two. There is not just one referral before you. That is why I said send it to the committee. There is more than one referral; there are two referrals before you. How are you going to work them in? By rules of the House, referrals were sent to this committee. How are you going to work them in? You have to give that consideration whether you like it or not.

The rules say you can send it to committee. If you are saying the committee does not want to deal with these matters, then you should be frank because what you are proposing is virtually that. You will not deal with it unless you are going to come back in January. You will have to talk to your leader about whether he wants to come back in January or not.

Mr. Brandt: Are you saying it cannot be accommodated?

Mr. Martel: Not under the present hours that are there before you. And the House will not allow you to come back in January unless the government House leader is prepared to see that sent to a committee to review Suncor by itself in January, plus the other report that is up for consideration. The House would have to give an order for those two referrals to be heard or reviewed in January by instruction of the Legislature. Again, all that a steering committee does is let you sort that out. If the case is that you simply cannot find the time, you make that as a recommendation through the government House leader to the House

that there is no time available, and these two matters should be considered in January.

What you are doing now is virtually sending it out without any assurance that it can be heard in January because that can only come by instructions of the Legislature.

Mr. Chairman: Any further discussion on the motion before us?

Those in favour? Those opposed?

Motion negatived.

Mr. Epp: Mr. Chairman, I do not know about the five hands there, I could only see--

Mr. Martel: We have now wasted an hour and a half. Tell me the way out. I ask the question I put to you earlier, Mr. Chairman, how do you intend to get out of this dilemma?

Mr. Chairman: Mr. Eves has a motion.

Mr. Eves: I still would like to come back to the motion I thought I made 20 minutes ago--we will deal with the report of the Ontario Energy Corporation when we are done the estimates presently on our agenda for this committee, which are municipal affairs and housing, treasury and economics and transportation and communications.

Mr. Smith: Such as what you had.

Mr. Chairman: We have a motion.

Mr. Martel: Could I ask for a clarification then? Is my friend suggesting that if need be, the House will be asked to send this to a special committee or this committee in the month of January?

Mr. Eves: I do not think it is my prerogative to--

Mr. Wildman: We cannot deal with it until January and now you are telling us we are not to deal with it in January.

Mr. Eves: My motion is not that we not deal with it until January.

An hon. member: That is what your motion says.

Mr. Chairman: Order, please. Order.

Mr. Eves: There is nothing preventing making some accommodation in the hours--

Mr. Wildman: There is; in the rules of the House.

Mr. Epp: Mr. Chairman, in all fairness, would the member please explain what his motion does and how it accommodates the

difficulties that the House leader for the New Democratic Party has articulated earlier? Just in fairness to the members of this committee, you want us to vote on something, yet you say, "Look, vote for something, but I am not going to tell you what it does." Be fair with us as members of the Legislature.

Mr. Eves: My motion puts the report of the Ontario Energy Corporation at the end of what is currently on our agenda of this particular committee. If there are a few hours left at the end of this fall session, that is when it will be dealt with. I think we have our lineup; we have our agenda. In all fairness, I think we should stick to it.

Mr. Epp: Excuse me, Mr. Chairman, but since I have this, I just want to get a clarification here. I am prepared to give up the floor after I get a clarification on it.

Is the member not aware that the way things are scheduled that it takes us up to the last day that is scheduled for the Legislature to sit? There will be no hours at the end. In actual fact he is making a farce of this whole procedure because he knows full well there is no time at the end. So he is scheduling it into January and February when the spring committee is not sitting. In all fairness.

I know the government from time to time just feels that the opposition gets in the way of making all their unilateral decisions. But surely to goodness, you owe us a better explanation than that.

Mr. Eves: Mr. Chairman, through you to the honourable member, maybe it is my inexperience or naivety here, but I do not think there is anything that limits this committee to when we sit on Wednesday afternoon or the evening. We start at two o'clock in the afternoon. There is nothing that prevents us from sitting until six. Six and one half hours a day, times six weeks is 39 hours in my arithmetic.

11:30 a.m.

Mr. Martel: We are not sitting next Wednesday.

Mr. Eves: I have allowed for that. There are seven weeks left. I have left out next week. That's 39 hours. We have 37 hours in front of us. That leaves two hours left over.

Mr. Wildman: Two hours.

Mr. Eves: There are some hours.

Mr. Chairman: There is time to proceed.

Mr. Smith: There will be two hours left over on December 23, assuming that nothing else intervenes between now and then. According to this man's calculations he is willing to discuss Suncor for two hours at the end of the session on December 23, following which the committee no longer exists. That is what the gentleman is suggesting as opposed to total closure.

Mr. Epp: I also want to add, Mr. Chairman, that having sat on committees for a number of years now, I know that committees do not start at 10 o'clock; they often start at 10:15. So that takes out six times 15 minutes--an hour and a half; that leaves about half an hour. So you have got about half an hour for it--maybe.

Mr. Smith: And 35 bills, approximately.

Mr. Chairman: A little less side talk here.

Mr. Philip: May I also point out to the member, since he says he doesn't understand the procedures very well, that it requires only one member to say at six o'clock on any day, "I would remind the chairman that the time has now run out," and the chairman has to adjourn the committee.

So if you are thinking that we will somehow mystically sit on any evening, I can assure you that as long as we have people like John Williams and a few other dinosaurs around who constantly look at the clock then you are going to end up adjourning at six o'clock.

So you are really scuttling the whole intent. If you're serious about dealing with this then surely you would put in your motion that the committee ask the House to give it permission to sit during the Christmas recess to deal with this matter.

I assume you understand that you won't be able to deal with this in two hours. Mr. Chairman. Does the member moving the motion accept the fact that we will not be able to deal with this in two hours?

Mr. Eves: I would concur.

Mr. Philip: All right. Do you agree, then, that the committee can only sit the hours that have been granted to it by the House?

Mr. Eves: At the present time, yes.

Mr. Philip: Therefore, would the member not agree that to be consistent with what he is attempting to do, we will be dealing with this during the Christmas recess, unless it's really his intention to scuttle this and put it off until March?

What is it? Is it your intention to deal with it in January, or do you want to put it off still further until March?

Mr. Eves: Mr. Chairman, according to my calculation the time would expire the week before Christmas. It is not for me to determine what extended hours this committee may be given for sitting. We have an agenda and we should follow it as far as the matters already on the agenda are concerned. I don't see how this current matter can be given any higher priority than number four on the agenda. That basically is what my motion is, and I think we should put this matter to a vote now.

Mr. Philip: With respect, Mr. Chairman, 30 private bills have been sent to this committee. Now, if you feel--

Mr. Smith: That's just a guess, but somewhere in that vicinity.

Mr. Philip: If you feel, then, that those private bills are not important, and if what you are saying is that we should not deal with those private bills, then say so and we will at least know what we are voting on.

But right now you are asking us to vote on havin this issue appear at some time with two hours to spend on it--possibly less than two hours, because the private bills will take more time than that.

Mr. Chairman: We haven't allotted any time for the private bills in order to deal with the estimates. Again, it would be up to this committee to determine whether we're going deal with the private bills--

Mr. Wildman: That's right.

Mr. Philip: And some of those private bills are municipal bills, are they not? They were sent by municipalities, they are of concern to those municipalities and surely I would think you would not want to thwart the requests of those municipalities.

Mr. Smith: I think we can meet Mr. Eves's desires by amending his motion to say that the committee will also request permission from the House to sit on Monday evenings and possibly on other occasions as well. If we had the committee sit not only on Wednesdays, morning and afternoon, but also on Monday evenings and possibly even Friday mornings, then the committee could accommodate what Mr. Eves says he would like, which is to deal with the matters already on the agenda plus those that have been referred to the committee.

If Mr. Eves is serious he will amend his motion to say that, in order to accommodate the Suncor matter as well as the estimates and private bills, this committee will seek from the House, starting immediately, the right to sit on Monday nights and Friday mornings in addition to its present Wednesday sittings. Then we could accommodate it.

Mr. Chairman: You're not making that motion, Dr. Smith?

Mr. Smith: If he's serious he'll make the motion, obviously.

Mr. Brandt: Mr. Chairman, I think that what the Leader of the Opposition is saying makes some sense. Perhaps in the spirit of compromise, in an attempt to get off the top dead centre of the whole question, would the members of the opposition agree to refer this entire matter to the House leaders--with respect to the time allocations for the committee, the three important estimates that are before us as well as the private bills we will

be dealing with and the Suncor matter--and have the House leaders work out among them the responsibilities of this committee and then report back to us? Is it a reasonable compromise to have it done that way?

Mr. Epp: Mr. Chairman, that's what the earlier motion was about. I have no--

Mr. Chairman: No it wasn't, Mr. Epp. The suggested amendment--and I don't think it is official yet--is to go to the House leaders, to send this--

Mr. Smith: Yes. It has to go with a recommendation from the committee.

Mr. Wildman: The government members surely understand that this committee should not abdicate its responsibility to schedule its own business or at least to make recommendations to the House leaders. Surely it's our responsibility to recommend to the House leaders the number of hours we need and so on, so they have something to work on. I don't think we should just say, "We don't want to deal with this as a committee" and dump it in the laps of the House leaders. Surely it's our responsibility to determine how we are going to deal with the matters that are placed before us by the House. That's part of our responsibility as a committee of the House.

Mr. Smith: Mr. Chairman, the committee simply has to decide what it wants to do. That's the job of the committee. If the committee genuinely wishes to take up the Suncor matter then it should say, "We wish to take up the Suncor matter, but we have a full agenda now. Would the House leaders kindly get together and try to move whatever is at present on our agenda elsewhere so we can get on with the Suncor matter?"

If the Conservative members truly wish, and if the committee wishes, to deal with the Suncor matter then they should say so. But up until now every motion that has come before us to deal with the Suncor matter has been turned down. In fact, what we have instead is some proposal that the matter be dealt with essentially never, essentially when the time has already run out. Now, unless you're prepared to make a serious proposal to the House leaders as to what the committee wishes to do, don't expect the House leaders to take over the job of the committee. It's the committee's job to order its own business.

If the committee wants to hear the Suncor matter then say so. Say to the House leaders, "We must find"--and say how many hours you want--"so many hours to hear the Suncor matter by a certain date. That's the wish of the committee." Then tell the House leaders to reorder other business or find other sitting times, and so on, to make that possible. But don't pretend that you can ask the House leaders to solve the problem of whether this committee wants to hear Suncor or not before Christmas.

It seems to me you ought to allow yourselves at least a reasonable number of hours to hear Suncor before Christmas and make that demand as a committee to the House leaders. Then the

House leaders can try to organize the business of the House in such a way as to permit the committee to accomplish that goal. But unless you are prepared to state that that's what you want then it's obvious what you really want.

Mr. Philip: Do you not have a list, Mr. Chairman?

Mr. Chairman: Yes. I have Mr. Martel's name down, Mr. Brandt's name and Mr. Epp's.

Mr. Philip: Where is my name on the list? I asked to be on your list about five minutes ago.

Mr. Smith: December 23.

Mr. Chairman: I'd rather go on a rotation here.

Mr. Martel: I must say that I am disturbed. If I understand it correctly, a proposal is being sent to the House leaders so that we can attempt to sort it out. And if that's the only way to break the impasse, that's fine and I'm prepared to accept it. The interesting thing, though, is that six months down the road, the next time the House leaders intervene and do something you don't want, you're going to have to live with it.

11:40 a.m.

In the last session we found that most committees are very zealous in guarding the fact that they determine their own business without interference from the House leaders. I'm sure my friend the government whip would indicate that to you as well. All I'm saying is that Dr. Smith is right that you should order your business and make the recommendation. If you just want to send it to the House leaders for disposal--fine; but I venture to say that some day six months down the road one of you, some of you or maybe all of you will really get ticked off and say, "What the hell are those House leaders doing, anyway, interfering in the way we order our business?"

The whole purpose of committees is for them to strike when they will do their work without interference. That gives the committees and the chairmen the autonomy most committees want. This committee seems not to want that power to order its own business.

If you want to send it to the House leaders to get a resolution of when the matter will be heard, I guess we can work it out there. But, as I say, some day you will regret following that avenue, because you will resent the interference of the House leaders. But if it's the only way out of the impasse to ensure that this matter gets discussed and debated fully somewhere in the next length of time then I suggest that you send instructions to the House leaders asking them to resolve your dilemma.

Mr. Smith: But it has to be with the recommendation that you want to hear the matter.

Mr. Martel: Fine. Well, that's understood.

Mr. Brandt: Mr. Chairman, the intent of my amendment to send the matter to the House leaders was simply that, with respect to Mr. Wildman's comments, the House leaders do have an opportunity to look at the broad spectrum of responsibilities of all committees, including this one, in the allocation of hours. I think it's a matter that can be dealt with quite appropriately by the House leaders and can perhaps accommodate the very requests made by the members of the opposition with respect to Suncor as well.

I don't see why it can't be dealt with in that way. At this point we've spent virtually two hours of the committee's time wasting the time of the minister and the members of his staff while we should have been dealing with the important matter of housing. This may be a very useful exercise, but the fact of the matter is that we have to get on with the business of this ministry's estimates as well. I would suggest very strongly that we dispose of the matter in this way and let the House leaders determine where this matter should appropriately be dealt with.

Mr. Epp: Mr. Chairman, I very much appreciate the concession that the member for Sarnia has made. I wonder, however, whether to expedite this matter a little more quickly he would entertain an amendment to include members of the various parties to that motion; and second, that a recommendation come from this committee together with the chairman that the Suncor matter receive high priority in their rescheduling.

I appreciate the concession he has made, and if he could just accommodate those minor amendments I think we could expedite this matter more quickly.

Mr. Philip: Mr. Chairman, this is getting more confusing by the minute. I fail to understand what Mr. Epp has recommended. In fact, there are three parties represented at the House leaders' meeting: there are the party whips and there are the party House leaders and staff. So I don't know what Mr. Epp's intentions are.

Mr. Epp: With respect to this committee, three members from this committee--

Mr. Philip: Well, why not refer it to the whole House, then, and we'll have everybody discuss it? I trust my House leader.

Mr. Chairman: It think it was only a suggestion, not an amendment.

Mr. Philip: All right.

I am very concerned, though, from the point of view of the parliamentary process, of having this committee ask the House leaders to make decisions for it.

It is the role of a committee to set its agenda. It is the role of the committee to go to the House leaders when they run into agenda problems. It is the role of the committee to make very specific requests of the House leaders.

The proposal before us is so vague and general that, if I were at a House leaders' meeting, I would find it hard to deal with. In the last House, we had the problem of one committee that constantly was in anarchy and could not make up its own mind as to what it wanted or what it was going to do. It constantly tied up the House leaders who have very important business to do, other than telling committees what to do.

The Conservative Party and Bud Gregory and people like that will tell you they were the first to be critical of the way in which that particular committee operated and, indeed, on some occasions with that committee and one other committee, sent the stuff back to them and said, "You guys make up your own minds, we are not here to make decisions for you."

I say to you that, if you are going to the House leaders, you must go with a specific recommendation: One, that we want to deal with the Suncor matter; Two, we are having trouble with scheduling because of our load; Three, we want to deal with it either before Christmas or during the Christmas recess. But it has to be as specific as that.

If I were the House leaders and I received anything as vague as that, I would simply send it back to the committee and say: "Clean up your own act. Tell us what you want and then we will deal with it." Mr. Gregory would agree with me, I am sure.

Mr. Smith: There is certainly no question the matter should not be referred to House leaders unless it is with a recommendation from this committee. It is obvious to me what has happened. The government members are very reluctant to have the Suncor matter dealt with.

Yet they also realize they are going to look foolish when they walk out into the corridor and have to talk to the press and explain why it is they do not want to discuss such a major purchase. They are trying to find some way it will look as though they are not really blocking it, so they have come up with one suggesting that we meet when we cannot, in January some time.

Now they have come up with one saying, "Let's leave the whole darn thing to the House leaders and maybe we can slink back to our offices and nobody from the press will ask us why we do not want to discuss such an important matter as Suncor." We will say, "Well, we have left such an important matter to the House leaders who are more knowledgeable about these matters." They will hope they can sneak off to lunch without having to answer the question why it was that, without any civil service cheques hanging in the balance, they still do not want to look at Suncor. It is as simple as that.

They are trying to find a face-saving way they can get from here to their offices without having to explain this to the press. So they have come up with this business that: "Well, we are not really against it, we would like to meet, but some of these things are so pressing. We have the famous Transportation and Communications estimates. These are matters that are so important. We cannot sleep at night knowing that the Transportation and

Communications estimates might have to be delayed or might have to go to another committee."

This is the kind of thing that really upsets sincere Conservative members such as the member for Sarnia. To think the Ministry of Transportation and Communications estimates conceivably might be delayed or might have to go to another committee, that is a gut-wrenching thought. That is the sort of thing he cannot cope with.

Mr. Brandt: It causes sleepless nights.

Mr. Smith: Sleepless nights, definitely. No question about it. He cannot handle it.

It is perfectly obvious the Tories came here to block consideration of Suncor. They realize they are going to look very foolish indeed and that the real reason for their closure is now absolutely apparent to everyone in Ontario, not much to do with civil service cheques, a lot to do with refusing to have an open and honest discussion of this serious investment on the part of the people of Ontario.

They are now trying to wriggle out of this impasse which they have created by blocking consideration either before the Housing estimates or after the Housing estimates. They have blocked both of them now.

Now they are saying they would like to do it at some unspecified time under unspecified conditions, only, would the House leaders please rescue them from this dilemma? The committee should not be referring anything to House leaders without a recommendation. If the committee wishes to make a recommendation to the House leaders, it should be honest, h-o-n-e-s-t, and say--I did that for your benefit--I did not think you--

11:50 a.m.

Mr. Hennessy: You would not know the meaning of it.

Mr. Smith: I would say the committee should be totally honest and state, roughly speaking, the amount of time it wants to deal with the Suncor matter in, roughly when it wants to do so, and then ask the House leaders to rearrange the committee's load accordingly. If you do anything else, you are fooling nobody.

Mr. Philip: First, these Bolsheviks want to send it to the politburo; the next thing they will want to send it to the--

Mr. Chairman: Mr. Philip, Mr. Eves is the next speaker.

Mr. Eves: Mr. Chairman, I wonder if Mr. Smith has ever considered a career in acting?

Mr. Martel: I think the Minister of Energy (Mr. Welch) gave us a prime example of that last night.

Mr. Brandt: An excellent speech.

Mr. Martel: He won an Oscar, especially when the cameras were on.

Mr. Eves: My comments are still the same. I think the member for Sarnia has produced a reasonable compromise.

An hon. member: Unworkable.

Mr. Brandt: Not unworkable at all.

Mr. Eves: We do have an agenda. I have said my own personal opinion is I do not think we should be discussing the Suncor matter any further until the transaction is completed, in any event. I think we have a motion and amendment on the floor and we should proceed to go with it and deal with it now.

Mr. Smith: I wonder if the member for Parry Sound has not considered a career in building stone walls?

Mr. Hennessy: He could use your head.

Mr. Chairman: Are there any further speakers? If not, we will deal with the amendment to the motion, and that is that the matter be referred to the House leaders for scheduling.

Mr. Smith: I move an amendment to the amendment to that motion. I move that the House leaders be instructed it is the intention of this committee to deal with the Suncor matter at an early date, so as to have a substantial number of hours to look into that purchase, and that these hours be completed before the House rises at Christmas.

Mr. Chairman: Is that it? I think our clerk has it down.

Clerk of the Committee: I think I have it down: It is the intention of this committee to deal with the Suncor matter at an early date, so that it shall have a substantial number of hours to look into the purchase, and that these hours be completed before the House rises at Christmas.

Mr. Philip: I wonder if Mr. Smith would accept a suggestion and incorporate it in this amendment, that at least an interim report be prepared before Christmas. I do not want to be boxed in that, when we get into an important inquiry, we somehow have to rush up that inquiry and finish before Christmas. I am willing to agree to an interim report, but I think if we start getting into something really interesting then we may want to meet over the Christmas holidays to deal with it.

Mr. Smith: Completed to the point of at least a substantial interim report by Christmas.

Mr. Chairman: That is the way the amendment to the amendment reads.

Mr. Wildman: Mr. Chairman, I would hope that before voting the Conservative members think very carefully that this does not, in any way, change the intent of what they are

proposing. They wanted the House leaders to deal with the matter. The committee is still referring the matter to the House leaders. The committee is giving the House leaders some direction with which they can work in determining the order they would like to have matters dealt with in committee. This is just a helpful amendment to help the House leaders do what the Conservative members wish them to do.

Mr. Chairman: All in favour of the amendment to the amendment?

Motion negatived.

Mr. Smith: You do not want it dealt with before Christmas? What is the purpose of going to the House leaders if you do not want it dealt with by Christmas?

Mr. Chairman: Can we carry on with the amendment to the motion, please?

Mr. Smith: The committee makes its own determination.

Mr. Brandt: The committee is referring it to have the House leaders review the--

Mr. Smith: Take over our job for us, eh?

Mr. Brandt: Look at the allocation response.

Mr. Chairman: Order, please. Can we deal with the amendment to the motion?

Mr. Philip: Sir, if your job is going to be dealt with by the House leaders then, are you prepared to refund your salary to the Treasury?

Mr. Chairman: I am in the hands of the committee and I am trying to conduct the--

Mr. Smith: I will move that you refund your salary. You have a job to do in committee. Claude, you know what a committee's job is. You don't let the House leader take over your own job. Here you determine what you want to do. The House leaders are asked to help you do it. They are asked to order the business of the House to help you do it, but you don't just tell them, "Take over our job and schedule our business for us." Come on, you know that perfectly well.

Hon. Mr. Bennett: That is not the chairman's job. You know that very well too. What have you got a committee for?

Mr. Smith: That is the committee's job.

Hon. Mr. Bennett: That's what I am saying.

Mr. Chairman: Order, please.

Mr. Epp: Mr. Chairman, can you, for my benefit, indicate

to me how the House leaders are going to make a recommendation that this committee deal with the Suncor matter, based on the motion that the member for Sarnia (Mr. Brandt) has before us, if every motion before us that has recommended that this committee deal with the Suncor matter before Christmas has been defeated?

If you were a House leader and if every amendment or every motion made before this committee that this committee deal with the Suncor matter before Christmas has been defeated, and all of a sudden there is a recommendation saying they should order the business differently than what this committee wants to do, wouldn't you naturally conclude that this committee does not want the matter dealt with before Christmas?

Mr. Chairman: No, I do not see that at all, Mr. Epp.

Mr. Epp: Well, that is the logic, because they have always voted against it.

Mr. Chairman: I do not think I have to defend that position, but I will say that I don't happen to agree with you on that point.

Mr. Philip: Point of order, Mr. Chairman: Just so that the committee can operate a little bit more efficiently, since Mr. Gregory is obviously the general giving the marching orders, wouldn't it be easier if he sat up there beside the minister?

Mr. Brandt: I take exception to that. There are no marching orders for this committee.

Mr. Chairman: That is not a point of order, I am sorry.

Mr. Wildman: That is the problem.

Mr. Brandt: It is not the problem at all.

Mr. Wildman: Those guys do not know what to do.

Mr. Chairman: Order, please. Order.

Mr. Smith: With the exception of one (inaudible) program, you do not have to have orders given. The programs have been inserted.

Mr. Chairman: Could I have a little bit of order, please. You are out of order on that remark. I am sorry, Mr. Philip. I have no other speakers before me. All those in favour--

Mr. Wildman: You guys make the Montreal Alouettes look good.

Mr. Chairman: Mr. Wildman, please. Those in favour of the amendment to the amendment to refer the matter to the House leaders?

Mr. Smith: Refer it to the House leaders without any

recommendation at all? Just abdicate your responsibility totally? That is ridiculous.

Mr. Chairman: No, I did not say that. There is no recommendation.

Mr. Smith: But if there is no recommendation you have abdicated your responsibility. What the hell are you referring to them?

Mr. Chairman: Those in favour of Mr. Brandt's amendment?

Mr. Smith: Well, what does it say? What are you referring to them?

Mr. Brandt: Referring both questions to them.

Mr. Chairman: Those opposed?

Mr. Smith: Time allocations? For what purpose?

Mr. Chairman: Order, please. Those in favour have voted. Those opposed? All right, the motion as amended, those in favour?

Mr. Smith: Would you read us the motion? What the hell is it saying?

Clerk of the Committee: As I understand it, that time allocations for this committee be referred to the House leaders for their consideration.

Mr. Chairman: That was the amendment, yes. Now we have to vote on the main motion as amended.

Mr. Smith: We surrender. We cannot allocate our time. Let somebody else do it.

Mr. Chairman: The main motion was Mr. Eves's original motion. I have not got the wording down here. Have you got it?

Clerk of the Committee: Mr. Eves moved that we consider the Suncor matter after the regularly scheduled estimates.

Mr. Smith: Well, it might get them back to their offices without having to talk to the press. They can say they did not really block Suncor. They just asked somebody else to deal with it.

Mr. Chairman: Those in favour of the motion, raise your hands. Opposed?

Motion agreed to.

Mr. Chairman: It is now 12 o'clock. I can see hardly any point in starting into the estimates of the Ministry of Municipal Affairs and Housing. We will come back at two o'clock.

The committee recessed at 12 p.m.



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